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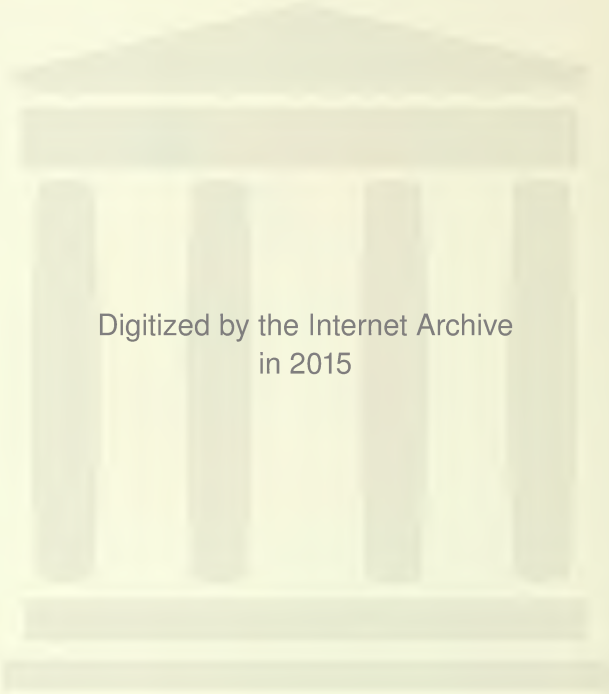


San Francisco Public Library

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BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tel. No. 554-5184
TDD No. 554-5227

Legislation Introduced
Including All Off-Calendar Items
January 6, 2009

OFF-AGENDA LEGISLATION

GOVERNMENT
DOCUMENTS DEPT

JAN - 8 2009

Ordinance

SAN FRANCISCO
PUBLIC LIBRARY

- 090009 [Modifying election procedures and deadlines for a June 2, 2009 election]
Emergency ordinance (1) finding that an emergency exists for purposes of Charter Section 2.107; (2) modifying various election procedures and deadlines for a June 2, 2009 special election; and (3) identifying the proposed revenue measures that would be submitted using the modified procedures. Supervisor Peskin presented. RECEIVED AND ASSIGNED to Rules Committee.
- 090013 [Amending the Fiscal Year 2008-2009 Annual Appropriation Ordinance]
Ordinance amending the FY 2008-2009 Annual Appropriation Ordinance and authorizing the Controller and the Director of Human Resources to amend the Annual Appropriation Ordinance and the Annual Salary Ordinance for Fiscal Year 2008-2009 to reflect the Mayor's Mid-Year Adjustment Plan, and to reduce other selected Department appropriations, including management positions. Supervisors Daly, Peskin presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 081565 [Adopting a new Planning Code Article 10 and Article 11 and adding new Planning Code Section 176(f)]
Ordinance rescinding Planning Code Article 10 in its entirety, rescinding Planning Code Article 11 in its entirety, and adopting a new Article 10 and Article 11 to implement the provisions of new San Francisco Charter Section 4.135; and adding new Planning Code Section 176(f). Supervisor Daly presented. ASSIGNED to Land Use and Economic Development Committee.

Resolutions

- 090008 [Public, Education and Government Cable Access System]
Resolution Requesting San Francisco's Congressional and State Legislative Delegations Reform Laws Governing use of Public, Education and Government Cable Access System Funds. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 090010 [Calling a municipal special election for June 2, 2009]
Resolution calling for a municipal special election to be held June 2, 2009, for the purpose of submitting revenue and fiscal measures to the voters. Supervisor Peskin presented. RECEIVED AND ASSIGNED to Rules Committee.
- 090011 [Landmark Status - Interior of St. Brigid Church]
Resolution initiating the interior designation of 2151 Van Ness Avenue, St. Brigid Church, Block 0575, Lot 015, appending City Landmark No. 252 to create an interior landmark pursuant to Section 1004.1 of the Planning Code.. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 090012 [Nominating Supervisor Mirkarimi for California Coastal Commission]**
Resolution nominating Supervisor Ross Mirkarimi for the North Coast Central seat on the California Coastal Commission. Supervisor Peskin presented. RECEIVED AND ASSIGNED to Rules Committee.
- 090014 [Congratulating Mike Singletary on being named the 16th head coach in San Francisco 49ers franchise history and congratulating Jed York on being named Team President of San Francisco 49ers]**
Resolution congratulating Mike Singletary on being named the 16th head coach in San Francisco 49ers franchise history and congratulating Jed York on being named Team President of San Francisco 49ers. Supervisor Dufty presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090015 [Lee Mallory Day - January 10, 2009]**
Resolution declaring January 10th, 2009, as Lee Mallory Day in San Francisco. Supervisor Peskin presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090016 [Condemning recent acts of vandalism on Most Holy Redeemer Church]**
Resolution condemning recent acts of vandalism on Most Holy Redeemer Church. Supervisor Dufty presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090017 [Commending the success of the 2008 Emerald Bowl and the efforts of Gary Cavalli in directing this fantastic event]**
Resolution commending the success of the 2008 Emerald Bowl and the efforts of Gary Cavalli in directing this fantastic event. Supervisor Dufty presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090018 [Urging Mayor Gavin Newsom and the San Francisco Public Utilities Commission to seek funds from President Elect Obama's economic stimulus and infrastructure package]**
Resolution urging Mayor Gavin Newsom and the San Francisco Public Utilities Commission to seek funds from President Elect Obama's economic stimulus and infrastructure package to continue San Francisco's utility undergrounding program. Supervisors Dufty, Chu, Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

- 090001 [Appointment, Historical Preservation Commission - Courtney Damkroger]**
Motion approving the Mayor's nomination for appointment of Courtney Damkroger to the Historical Preservation Commission, Seat No. 5, for a four-year term ending date to be determined. (Clerk of the Board) . APPROVED.
- 090004 [Appointment, Historical Preservation Commission - Courtney Damkroger]**
Motion rejecting the Mayor's nomination for appointment of Courtney Damkroger to the Historical Preservation Commission, Seat No. 5, for a four-year term ending date to be determined. (Clerk of the Board) . TABLED.

Charter Amendments

- 090007 [Requiring that one-time revenues be spent only for one-time uses, unless otherwise authorized by the Board of Supervisors]**
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 9.120 to require that one-time revenues be spent only for one-time uses, unless the Board of Supervisors appropriates the revenues for another purpose by a two-thirds' vote. Supervisors Elsbernd, Chu presented. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

PROPOSED ORDINANCES

081618 [Settlement Of Lawsuit - Xiaomei Ma v. CCSF - \$115,000]

Ordinance authorizing settlement of Xiaomei Ma's claims in the lawsuit filed by Xiaomei Ma against the City and County of San Francisco for \$115,000.00; the lawsuit was filed on April 6, 2007, in the San Francisco Superior Court, Case No. 07-462106, entitled Ma v. City and County of San Francisco. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

081620 [Zoning - Ordinance relating to the repair of inadvertent errors and omissions discovered in 2008]

Ordinance amending the Planning Code to correct errors including: 1) amend Section 140(a) to properly reference Section 504 and 503 of the Housing code instead of 501.4 and 501.1, respectively; 2) amend 151 to specify the number of required parking spaces per beds in hospital uses; 3) amend Section 209.8 to link exceptions to "if permitted in the nearest NC District" instead of C-1 and C-2; 4) amend Section 263.9 to properly reference Chart C instead of Charts B and to reference Section 271 instead of Section 270(4) which does not exist; 5) amend Sections 816.67 (SLR District), 817.67 (SLI District), and 818.67 (SSO District) to properly reference Section 225 Wholesaling, Storage, Distribution and Open-Air Handling of Materials and Equipment instead of Section 255 which does not exist; 6) amend Appendix A to Article 10, List of Designated Landmarks to correct the number for certain Landmarks; and 7) amend each neighborhood commercial district and neighborhood commercial transit district to explicitly prohibit Amusement Enterprises as currently defined by Section 790.04, except NC-3 and NCT-3 where Amusement Enterprises would be reviewed as Conditional Use authorization per Section 303; making environmental findings; and findings of consistency with the City's General Plan and Planning Code Section 101.1. (Planning Department) . RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

081581 [Approval of Port Lease to Pilara Family Foundation Lease No. L14144 at Pier 24 Annex]

Resolution approving Port Commission Lease No. L-14144 with the Pilara Family Foundation, a Nevada Non-Profit Corporation ("Pilara") for certain real property located at Pier 24 Annex in the City and County of San Francisco. (Port) . RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081586 [Adopting findings related to San Francisco Public Utilities Commission Water System Improvement Program (WSIP)-funded Project No. CUW39101, Baden and San Pedro Valve Lots Improvements Project]

Resolution adopting findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of mitigation monitoring and reporting program related to the funding of the Baden and San Pedro Valve Lots Improvements Project, CUW39101 and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission) . RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081587 [Adopting findings related to San Francisco Public Utilities Commission Water System Improvement Program (WSIP) Pulgas Balancing - Discharge Channel Modifications Project]

Resolution adopting findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of mitigation monitoring and reporting program related to the funding of the Pulgas Balancing – Discharge Channel Modifications Project, and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission) . RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081617 [Adopting findings related to San Francisco Public Utilities Commission Bay Division Pipelines Crossover Facilities Project in San Mateo and Santa Clara Counties]

Resolution adopting findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of mitigation monitoring and reporting program related to the funding of the Bay Division Pipelines 3 and 4 Crossover Facilities Project - CUW38001 at three sites in San Mateo and Santa Clara County, and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission) . RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081619 [Airport Lease and Operating Agreement]

Resolution approving the exercise of the third of five one-year options to extend the term of Smarte Carte, Inc.'s Luggage Cart Lease and Operating Agreement
No. 01-0343. (Airport Commission) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act –January 6, 2009

Board Minutes for November 25, 2008 approved.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti at the following private property locations:

99 Webster

295 Buchanan

55 Laguna, Haight Street side

841 Scott

399 Grove

502 Haight

597 Haight

1432 Haight

1501 Haight

546 Haight

542 Haight

588 Haight

630 Haight

799 Haight

839 Haight

507 Divisadero

901 Haight

930 Haight

959 Haight

1220 Haight

1317 Haight

1380 Haight

1432 Haight

1529 Haight

1540 Haight

1599 Haight

1636 Haight

250 Scott

216 Scott

523 Waller

201 Steiner (on the Waller side)

430 Fillmore

501 Fillmore

Sacred Heart Church on the 500 block of Fillmore

648 Fillmore

899 Fulton

910 Hayes
1310 Hayes
1379 Hayes
600 Irving (on the 7th Avenue side)
1330 9th Avenue
1310 9th Avenue
1312 9th Avenue
1307 9th Avenue
378 Fillmore
424 Haight
600 Page
448 Scott
261 Pierce

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the following locations:

Garbage Cans

Northwest corner of O'Farrell and Webster
Northwest corner of O'Farrell and Scott
Northeast corner of Buchanan and Haight
Northwest and Northeast corners of Fillmore and Haight
Northwest corner of Hayes and Scott
Northwest corner of Hayes and Broderick
Northeast corner of Hayes and Baker
Northeast corner of Hayes and Lyon
Northwest corner of Hayes and Central

Mailboxes

Linden, Haight, and Belvedere
Northwest and Northeast corners of Haight and Fillmore
Northwest corner of Divisadero and Oak
Northeast corner of Buchanan and Fell

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from utility poles at the following locations:

Pot Holes:

On Haight and Belvedere
1321 Fulton

Metal Poles:

Northeast corner of Waller and Pierce
Near 1534 Fulton
Southwest corner of Fulton and Webster
Northeast corner of Hayes and Steiner

Northeast corner of Hayes and Divisadero
Northwest corner of Fillmore and Haight (near Fillmore garbage can)
Northwest corner of Waller and Steiner

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of repairing potholes and removing graffiti from the following locations:

Potholes:

Sinkhole on Waller and Fillmore (on the westside of Waller street near crosswalk)

This has been fixed two times and the problem is getting worse

484 Waller

Garbage Cans:

Northeast corner of Grove and Buchanan

Northeast corner of Scott and Waller

Northeast corner of Haight and Fillmore

Northeast corner of Haight and Buchanan

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the public property at the following locations:

Utility Boxes:

Southwest corner of Golden Gate and Pierce

Near 1635 Fulton

Northwest corner of Pierce and Webster

Northeast corner of Fulton and Oak

Southeast corner of Fell and Buchanan

Northwest corner of Webster and Golden Gate

Northwest corner of Webster and Fulton

Northwest corner of Webster and Grove

South side of Fell and Schrader

Bus Shelters:

Southeast corner of Haight and Buchanan

500 block of Fillmore

All bus shelters on Haight and Fillmore need power washing and graffiti removal

Southwest corner of Hayes and Baker

Emergency Boxes:

Northeast corner of Golden Gate and Scott

Southwest corner of Fillmore and Grove

Northwest corner of Fillmore and Fell

Northwest corner of Central and Page

Southeast corner of Steiner and Page

Fire Hydrant:

Northeast corner of Broderick and Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore and Post

Southwest corner of Divisadero and Sutter

9th Avenue and Judah (near bus stops)

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore

Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Irving and 9th Avenue

Irving and 7th Avenue

Southwest corner of Haight and Clayton

Southeast corner of Haight and Masonic

San Francisco Examiner

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

SF Daily

Northwest corner of Hayes and Gough

City Star

Northwest corner of Hayes and Gough

Southeast corner of Fillmore and Haight

SF Weekly

Southeast corner of Masonic and Haight

Southeast corner of Haight and Fillmore

In Memoriams

Victor Keyak – Supervisor Chu

John Farnham – Supervisor Chu

Shirley Jane Aguerre – Supervisor Dufty

Evelyn Ellen Lynch – Supervisor Elsbernd

Kheak Ying Taing – Supervisor Peskin

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**Legislation Introduced
Including All Off-Calendar Items
January 13, 2009**

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

- 090024 [Modifies the cap on the amount that an individual production can receive under the Film Rebate Program, eliminates partial rebate of hotel and sales tax and extends the Program to June 2011]
Ordinance amending Administrative Code Section 57.8 by changing the cap on individual rebates from the total amount of taxes that the production paid to the City, to \$600,000, modifying the definition of "qualified production cost" by eliminating fees and hotel and sales taxes from that definition, and extending the Film Rebate Program for two more years, until June 2011. Supervisors Alioto-Pier, Dufty presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 090026 [Building Code - Certificate of Occupancy Issued for Changes to an Existing Building]
Ordinance amending the San Francisco Building Code by amending Section 109A to provide that any certificate of occupancy for a building or structure that is issued subsequent to the first certificate of occupancy shall be an amended certificate of occupancy that includes a reference to the date of the first certificate of occupancy and any subsequent certificates of occupancy that have been issued. Supervisor Mirkarimi presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

Resolutions

- 090025 [Accept-Expend federal grant funds to support HIV/AIDS services - \$4,758,228]
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend a funding award entitled the Ryan White HIV/AIDS Treatment Modernization Act Grant (Ryan White Part A Program) in the amount of \$4,758,228 for the San Francisco Eligible Metropolitan Area from the Health Resources and Services Administration (HRSA) to support HIV/AIDS health services; for the period of February 1, 2009 through June 30, 2009. Supervisor Dufty presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 090027 [Contract with Owners' Association for administration/management of Yerba Buena Community Benefit District]
Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the property-based business improvement district known as the "Yerba Buena Community Benefit District," pursuant to Section 36651 of the California Streets and Highways Code. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 090028 [Commending Winna Davis and her lifetime commitment in helping the children, youth, and families of San Francisco]**
Resolution commending Winna Davis and her lifetime commitment in helping the children, youth, and families of San Francisco. Supervisor Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090029 [Reauthorization of Food Security Task Force]**
Resolution extending the sunset provisions of the Food Security Task Force to January 31, 2010. Supervisor Maxwell presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090030 [Urging the Board of Directors of the Bay Area Rapid Transit District (BART) to establish an independent Civilian Oversight body to investigate claims of BART Police misconduct]**
Resolution urging the BART Board of Directors to immediately establish an independent Civilian Oversight body to investigate claims of misconduct by the BART Police, and urging our State Representatives to pass legislation requiring that BART have independent third-party civilian oversight of its Police force. Supervisors Campos, Mirkarimi, Maxwell, Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090031 [Accept-Expend Grant - Office of the Public Defender - \$50,000]**
Resolution authorizing the Office of the Public Defender to accept and expend a grant in the amount of \$50,000 from The San Francisco Foundation for consulting services to support the development of data collection tools and service standards in support of the new Reentry Council. Mayor, Supervisor Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearings

- 090020 [Mayor's Office of Community Investments and Office of Economic Workforce Development Merger]**
Hearing to consider the impacts on service delivery as a result of the merger of the Mayor's Office of Community Investments and Office of Economic Workforce Development. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090021 [Controller's Biannual and Monthly Overtime Report]**
Hearing to consider the Controller's Biannual and Monthly Overtime Report. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090022 [Streamlining the regulation of small businesses]**
Hearing on streamlining the regulation of small businesses: a review of the roles and responsibilities of the fifteen City departments that interface with small businesses, pursuant to Administrative Code Section 2A.241 as enacted by Proposition I in November 2007. Supervisors Chiu, Chu, Maxwell presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 090023 [Public Health services mid-year cuts]**
Hearing to discuss mid-year cuts of public health services. Supervisor Daly presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090035 [Annual Review and Approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines]**
Hearing to consider the annual review and approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines. (Clerk of the Board). RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motions

- 090032 [Board of Supervisors to sit as a Committee of the Whole - January 22, 2009, Special Election June, 2009]**
Motion that the Board convenes as a Committee of the Whole on January 22, 2009, to consider legislation related to a special election to be held in June, 2009. Supervisor Daly presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090033 [Board of Supervisors to sit as a Committee of the Whole - January 22, 2009, Amendment to Annual Appropriation Ordinance]

Motion that the Board convenes as a Committee of the Whole on January 22, 2009, to consider an amendment to the Annual Appropriation Ordinance and the Annual Salary Ordinance for fiscal Year 2008-2009. Supervisor Daly presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090034 [Nominating Supervisor Mirkarimi for California Coastal Commission]

Motion nominating Supervisor Ross Mirkarimi for the North Coast Central seat on the California Coastal Commission. Supervisor Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

Clerk to Act –January 13, 2009

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti at the following private property locations:

99 Webster
1605 Haight
208 Scott
253 Webster
605 Oak

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the following locations:

Garbage Cans

Northwest and Northeast corner of Haight and Fillmore
Northeast corner of Geary and Webster
Northwest corner of 9th Avenue and Lincoln

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of repairing potholes and removing graffiti from utility poles at the following locations:

Pot Holes:

On Geary near Post

Sinkhole on Waller and Fillmore (westside of Waller Street near crosswalk) This has been fixed two times and the problem is getting worse
484 Waller

Metal Poles:

Northwest corner of Haight and Fillmore
Northwest corner of Oak and Buchanan

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the following locations:

Garbage Cans:

Northeast corner of Grove and Buchanan
Northeast corner of Scott and Waller
Northeast corner of Haight and Fillmore
Northeast corner of Haight and Buchanan

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the public property at the following locations:

Utility Boxes:

Southeast corner of Sanyan and Oak

Southeast corner of Laguna and Haight

Southeast corner of Fillmore and Oak

Southeast corner of Oak and Schrader

North side of Buchanan and Lausant

Bus Shelters:

Southeast corner of Haight and Buchanan

All bus shelters on Haight and Fillmore need power washing and graffiti removal

South and North side of Sanyan and Haight

Emergency Boxes:

Northeast corner of Schrader and Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore and Post

Southwest corner of Divisadero and Sutter

9th Avenue and Judah (near bus stops)

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore

Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Irving and 9th Avenue

Irving and 7th Avenue

Southwest corner of Haight and Clayton

Southeast corner of Haight and Masonic

San Francisco Examiner

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

SF Daily

Northwest corner of Hayes and Gough

City Star

Northwest corner of Hayes and Gough

Southeast corner of Fillmore and Haight

SF Weekly

Southeast corner of Masonic and Haight

Southeast corner of Haight and Fillmore

From: Supervisor Avalos

To: City Attorney

Requesting/Inquiring: Zoning to provide for a five foot special height exception on ground floor uses in NC-2 and NC-3 designated parcels along the Randolph Broad Corridor from 19th Avenue to San Jose Avenue.

From: Supervisor Avalos

To: Chief of Police

Requesting/Inquiring: Statistics showing trends in violent crime over the past 12 months in District 11.

From: Supervisor Avalos

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Inquiry regarding the total costs associated with the operation of MUNI's "Culture Bus" including, but not limited to, maintenance, staff salaries, operations and advertising costs. This report should also include revenue generated from the culture bus since its conception and operation by month.

In Memoriams

Joseph Kozuch – Supervisor Chu

Stanley Sueton Tom – Supervisor Chu

Claire Bernie Roddy – Supervisor Elsbernd

Lazarus "Buddy" Pickett – Supervisor Mirkarimi

Vicki Lin Carey – Supervisor Avalos

Norvel Wells – Supervisor Avalos

Oscar J. Grant III – Supervisor Daly

Rabbi Alan Lew – Supervisors Dufty & Mar

Ruth Moskowitz – Supervisor Dufty

Ryosuke Yoshioka – Supervisor Mar

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JAN 29 2009

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PUBLIC LIBRARY

Introduced by Supervisors or Mayor

Ordinances

090093 [Solar Energy Agreements with Recurrent Energy]

Ordinance approving a 25-Year Power Purchase Agreement and Site Lease Agreement with RE-SFCITY1, LP (Recurrent), a wholly owned subsidiary of Recurrent Energy, to finance, construct, own, operate, and maintain a solar photovoltaic power plant on the rooftop of the North Storage Basin Reservoir and certain adjacent land on the Sunset Reservoir property located at the intersection of 24th Avenue and Ortega Street, San Francisco, and to sell all electricity generated by the project to the City acting through its Public Utilities Commission. Mayor, Supervisor Chu presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090096 [Prohibiting new overhead utility facilities]

Ordinance amending Sections 913 and 914 of the San Francisco Public Works Code to prohibit the installation of new overhead utility facilities on any City street where there are no existing overhead utility facilities; and further amending Section 914 to establish exemptions to this requirement. Supervisor Duffy presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090097 [Administrative Code Revision: Health Service System]

Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates. Supervisor Elsbernd presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090099 [Re-establishing the name of the Richmond District]

Ordinance rescinding Ordinance 4397 and re-establishing the name of the area north of Golden Gate Park and west of Arguello Boulevard as the Richmond District. Supervisor Mar presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

090100 [Solar Energy Incentive Program]

Ordinance amending the San Francisco Environment Code by amending Sections 18.3, 18.4, 18.6, 18.7-1, 18.7-2, 18.7-3, 18.7-4, and 18.7-6, and by repealing Section 18.7-7, to increase the incentives available to low-income and non-profit applicants under the Solar Energy Incentive Program and to make technical changes to program requirements. Supervisor Mirkarimi presented. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

Resolutions

- 090094 [Extending the Library Citizens Advisory Committee]**
Resolution extending the operation of the Library Citizens Advisory Committee to March 1, 2011. Supervisor Daly presented. RECEIVED AND ASSIGNED to Rules Committee.
- 090095 [30 day extension for Planning Commission review - Residential Inclusionary Affordable Housing Program]**
Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on an Ordinance amending the Planning Code Section 315.6 of the Residential Inclusionary Affordable Housing Program to provide that ten percent (10%) of in lieu fees paid under Section 315.6, not to exceed a maximum of \$15 million at any one time, be designated exclusively for the acquisition and/or rehabilitation of affordable housing sites consisting of less than 25 units. Supervisor Daly presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 090098 [Establishing Monthly Contribution Amount]**
Resolution establishing monthly contribution amount to Health Service Trust Fund. Supervisor Elsbernd presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090101 [Interim Zoning Controls Requiring Conditional Use Authorization for Tobacco Paraphernalia Establishments, as Defined, in the Haight Street Neighborhood Commercial District]**
Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for Tobacco Paraphernalia Establishments, as defined, subject to specified exceptions, in the Haight Street Neighborhood Commercial District and in all properties zoned NC-1 (Neighborhood Commercial Cluster District) and NC-2 (Small-Scale Neighborhood Commercial District) along Haight Street, for a one year period, and making findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 090102 [Below Market Rate Condominium Conversion Program - Release of Units at 3321 17th Street]**
Resolution approving the release of six units at 3321 17th Street from the Below Market Rate Condominium Conversion Program under Subdivision Code Sections 1341 and 1385. Mayor presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 090104 [Preserving the California Mental Health Services Act]**
Resolution urging Governor Arnold Schwarzenegger to sustain the state's commitment to mental health funding and preserve Proposition 63 monies for its intended purpose. Supervisor Avalos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090105 [Accept and Expend Grant - Office of Language Services - \$10,000]**
Resolution retroactively authorizing the Office of Language Services to accept and expend \$10,000 from the Annie E. Casey Foundation, to create a pilot program to expand the organizational capacity of the City's law enforcement, criminal justice, and emergency management agencies to meet the cultural and linguistic needs of limited English proficient victims of domestic violence. Supervisor Chu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

- 090081 [Crime and Prosecution Statistics]**
Follow up hearing in the Public Safety Committee on January 26, 2009, wherein the Mayor's Office of Criminal Justice (MOCJ) presented statistics on public safety conditions citywide and neighborhood crime levels, this hearing would explore how to establish interagency coordination between the San Francisco Police Department, the District Attorney's Office, the San Francisco Superior Court and MOCJ to compile statistics on the following; (1) how many arrests are made when a crime is committed, (2) whether the arrest results in charges being filed by the District Attorney's Office and (3) the ultimate disposition of the case. Supervisors Alioto-Pier, Campos presented. RECEIVED AND ASSIGNED to Public Safety Committee.
- 090082 [Budget Updates]**
Hearing to consider budget updates from the Mayor's Budget Office, the Controller's Office, and various City Departments. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090083 [Southeast Child & Family Therapy Center]

Hearing on the proposed move of the Southeast Child & Family Therapy Center out of the Excelsior. Supervisor Avalos presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090084 [SF City ID Card Program Implementation]

Hearing on implementation of the SF City ID Card Program. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Public Safety Committee.

090085 [Recreation and Parks Department (RPD) plan to implement fees for activities]

Hearing to review the plan to begin charging residents for Recreation and Park Department (RPD) activities. In August of 2007, the Board of Supervisors approved a plan for RPD to begin charging fees for activities. How are these fees being implemented; does RPD have a system in place to collect these fees; how much money will be collected; will these fees offset layoffs or service cuts within the department; and what is the timeline for implementation. The hearing will also cover the badminton program, and why RPD is canceling sessions "due to lack of interest." Supervisor Chu presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090086 [Hepatitis C prevention, screening and care]

Hearing on the City's strategy to address Hepatitis C, including prevention efforts, encouragement of screening, testing and treatment. Supervisor Duffy presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090087 [Status of partnerships between SFHA and SFUSD]

Hearing to receive an update from the Superintendent of the San Francisco Unified School District (SFUSD) and the Director of the San Francisco Housing Authority (SFHA) on the status and direction of partnerships between SFHA and SFUSD. Supervisor Duffy presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090088 [Outline of the SFHA, RPD and SFUSD strategies to offer employment and recreation experiences for SFHA youth residents]

Hearing to receive an update from the Recreation and Parks Department (RPD) and San Francisco Unified School District (SFUSD) on strategies to provide employment and recreation opportunities for residents of San Francisco Housing Authority (SFHA) properties who are between the ages 13 and 18 years old. Supervisor Duffy presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090089 [Staffing of Recreation and Park Department's Facilities]

Hearing on the Controller's findings on the staffing levels of the Recreation and Park Department's recreation centers and public facilities. Supervisor Duffy presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090090 [SFUSD 10-Year Capital Plan]

Hearing on San Francisco Unified School District (SFUSD) 10-Year Capital Plan. Supervisor Elsbernd presented. RECEIVED AND ASSIGNED to City and School District Select Committee.

090091 [Municipal Transportation Agency's (MTA) quarterly reports on disability placards]

Hearing on the Municipal Transportation Agency's (MTA) processes and procedures around enforcement of disability placards. Request to the MTA to report on: 1) The number of disability placards that are currently active in San Francisco 2) The number of placards confiscated in the past year 3) The percentage of placards confiscated compared to the number of people asked for proof of valid placard. Request for an update from the MTA on their progress working with the State of California to ensure that temporary placards are terminated when expired and that death records are thoroughly reviewed before the re-issuance of new disability placards. Request to the MTA for written quarterly reports to the Board of Supervisors with updates on the information stated above. Supervisor Mar presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090092 [Report on City's "Economic Stimulus Package"]

Hearing to consider the report on the City's "Economic Stimulus Package", including a presentation on how San Francisco is positioning itself for Federal investment dollars. Supervisor Maxwell presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 090103 [Hearing - Emergency ordinance modifying procedures and deadlines for a June 2, 2009 election]**
Hearing to consider the possible adoption of an emergency ordinance (1) finding that an emergency exists for purposes of Charter Section 2.107; (2) modifying various election procedures and deadlines for a June 2, 2009 special election; and (3) identifying the proposed revenue measures that would be submitted using the modified procedures.. ASSIGNED to Board of Supervisors.

Motions

- 090058 [Reappointment, Arts Commission - Maya Draisin]**
Motion approving the Mayor's reappointment of Maya Draisin to the Arts Commission, for the term ending January 15, 2013. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.
- 090059 [Reappointment, Arts Commission - Maya Draisin]**
Motion rejecting the Mayor's reappointment of Maya Draisin to the Arts Commission for the term ending January 15, 2013. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.
- 090060 [Reappointment, Arts Commission - Jeannene Przyblyski]**
Motion approving the Mayor's reappointment of Jeannene Przyblyski to the Arts Commission, for the term ending January 15, 2013. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.
- 090061 [Reappointment, Arts Commission - Jeannene Przyblyski]**
Motion rejecting the Mayor's reappointment of Jeannene Przyblyski to the Arts Commission for the term ending January 15, 2013. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.
- 090062 [Reappointment, Fire Commission - George Lau]**
Motion approving the Mayor's reappointment of George Lau to the Fire Commission, for the term ending January 15, 2013. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.
- 090063 [Reappointment, Fire Commission - George Lau]**
Motion rejecting the Mayor's reappointment of George Lau to the Fire Commission for the term ending January 15, 2013. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.
- 090064 [Reappointment, Health Commission - David Sanchez]**
Motion approving the Mayor's reappointment of David Sanchez to the Health Commission, for the term ending January 15, 2013. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.
- 090065 [Reappointment, Health Commission - David Sanchez]**
Motion rejecting the Mayor's reappointment of David Sanchez to the Health Commission, for the term ending January 15, 2013. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.
- 090066 [Reappointment, Health Commission - Catherine Waters]**
Motion approving the Mayor's reappointment of Catherine Waters to the Health Commission, for the term ending January 15, 2013. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.
- 090067 [Reappointment, Health Commission - Catherine Waters]**
Motion rejecting the Mayor's reappointment of Catherine Waters to the Health Commission, for the term ending January 15, 2013. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.
- 090068 [Reappointment, Human Services Commission - Kelly Dearman]**
Motion approving the Mayor's reappointment of Kelly Dearman to the Human Services Commission, for the term ending January 15, 2013. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.
- 090069 [Reappointment, Human Services Commission - Kelly Dearman]**
Motion rejecting the Mayor's reappointment of Kelly Dearman to the Human Services Commission, for the term ending January 15, 2013. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.

- 090070 [Reappointment, Human Services Commission - Anita Friedman]**
 Motion approving the Mayor's reappointment of Anita Friedman to the Human Services Commission, for the term ending January 15, 2013. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.
- 090072 [Reappointment, Juvenile Probation Commission - Katie Albright]**
 Motion approving the Mayor's reappointment of Katie Albright to the Juvenile Probation Commission, for the term ending January 15, 2013. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.
- 090073 [Reappointment, Juvenile Probation Commission - Katie Albright]**
 Motion rejecting the Mayor's reappointment of Katie Albright to the Juvenile Probation Commission, for the term ending January 15, 2013. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.
- 090074 [Reappointment, Library Commission - Larry Kane]**
 Motion approving the Mayor's reappointment of Larry Kane to the Library Commission, for the term ending January 15, 2013. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.
- 090075 [Reappointment, Library Commission - Larry Kane]**
 Motion rejecting the Mayor's reappointment of Larry Kane to the Library Commission, for the term ending January 15, 2013. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.
- 090079 [Appointment, Market and Octavia Community Advisory Committee]**
 Motion appointing Ted Olsson, Cheryl Brinkman, and Robin Levitt for two-year terms, to the Market and Octavia Community Advisory Committee. Mayor presented. RECEIVED AND ASSIGNED to Rules Committee.

Charter Amendment

- 081597 [Rainy Day Reserve]**
 Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 9.113.5, to: (1) allow the City to withdraw up to 100 percent of the current balance in the Rainy Day Reserve, not to exceed 20 percent of the projected deficit, in years in which a budgetary deficit of \$250 million or more is projected; (2) require the City to also appropriate to the School District an amount equal to 33 percent of any such withdrawals for the City's benefit, in years in which the School District faces a loss of revenues and significant layoffs; and, (3) eliminate obsolete provisions. Supervisor Daly presented. ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

- 090044 [Settlement of Lawsuit - Computers For Marketing Corporation - \$42,000]**
 Ordinance authorizing settlement of the lawsuit filed by Computers For Marketing Corporation against the City and County of San Francisco for \$42,000; the lawsuit was filed on June 15, 2007 in San Francisco Superior Court, Case No. 464-348; entitled Computers for Marketing Corporation, et al., v. City and County of San Francisco, et al. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.
- 090045 [Settlement of Lawsuit - Susan Howard - \$175,000]**
 Ordinance authorizing settlement of the lawsuit filed by Susan Howard against the City and County of San Francisco for \$175,000; the lawsuit was filed on February 14, 2007 in San Francisco Superior Court, Case No. 460-454; entitled Susan Howard, et al., v. City and County of San Francisco, et al. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

- 090046 **[Settlement of Lawsuits - Robert Weaver, et al., Michael Moynihan, et al., and Peter A. Green, et al.]**
Ordinance authorizing settlement of plaintiffs' claims in the lawsuits filed by Robert Weaver, et al., Michael Moynihan, et al., and Peter A. Green, et al., acting for themselves and others similarly situated, against the City and County of San Francisco for \$1,291,741.11 plus 7% simple interest from January 4, 2009 to date of payment; the lawsuits were filed on: (a) April 14, 2003, in the United States District Court for the Northern District of California, Case No. 03-1589 SI, entitled Weaver, et al. v. City and County of San Francisco; (b) November 14, 2006 in the United States District Court for the Northern District of California, Case No. 06-7071 SI, entitled Moynihan, et al. v. City and County of San Francisco; and (c) November 7, 2006 in the United States District Court for the Northern District of California, Case No. 06-6953 SI, entitled Green, et al. v. City and County of San Francisco. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

- 090042 **[Public Auction - Tax-defaulted Real Property]**
Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property. (Treasurer-Tax Collector) . RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090043 **[Approving First Amendment to Agreement between the San Francisco Public Utilities Commission and Santa Clara Valley Water District for Operation and Maintenance of the Intertie pursuant to Charter Section 9.118]**
Resolution approving First Amendment to the Operation and Maintenance Agreement between the San Francisco Public Utilities Commission (SFPUC) and Santa Clara Valley Water District (SCVWD) for the Intertie pursuant to Charter Section 9.118. (Public Utilities Commission) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act –January 27, 2009

Board Minutes for December 9, 2008 and December 16, 2008 approved.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti at the following private property locations:

580 Hayes

208 Scott

451 Hayes

616 Buchanan

500 Buchanan

501 Fillmore

485 Scott

1023 Oak

216 Scott

546 Haight

55 Laguna (on Haight Street side)

345 Fillmore

378 Fillmore

950 Steiner

532 Steiner

420 Haight

841 Scott

609 Haight

946 Haight

942 Haight

610 Fillmore

275 Divisadero

705 Divisadero

355 Laguna

212 Haight

122 Webster

1037 Oak

Transfer Market on Southwest corner of Grove and Divisadero

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the following locations:

Garbage Cans

Northeast corner of Haight and Fillmore

Northeast corner of Buena Vista West and Haight

Northwest corner of Grove and Fillmore
Southwest corner of Buena Vista East and Haight
Southwest corner of Divisadero and McAllister

Mailboxes

Southwest corner of Central and Waller
Northeast corner of Baker and Haight
Southwest corner of Broderick and McAllister
Northwest corner of Eddy and Buchanan

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from utility poles at the following locations:

Metal Poles

Northwest corner of Octavia and Laguna
Northwest corner of Grove and Lyon
In front of 526 Hayes Street
In front of 1143 Fell
Southwest corner of Scott and Page
Northeast corner of Octavia and Laguna
Southwest corner of Oak and Fillmore
Northeast corner of Grove and Steiner
In front of 492 Gough
Northwest corner of Clayton and Waller
In front of 1342 Eddy
Northeast corner of Page and Laguna
Wood Poles
Southwest corner of Linden and Oak
Northeast corner of Gough and Ivy

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the public property at the following locations:

Utility Boxes

Northeast corner of Buchanan and Oak
Southeast corner of Divisadero and McAllister
Southeast corner of Laguna and Oak
Northeast corner of Scott and Waller
Northwest corner of Golden Gate and Webster

Bus Shelters

Northwest corner of Laguna and Haight
All bus shelters on Haight and Fillmore need power washing and graffiti removal
Northwest corner of Masonic and Eddy
Southeast corner of Hayes and Buchanan

Emergency Boxes

Northwest corner of Oak and Laguna
Northwest corner of McAllister and Fell
Northwest corner of Belvedere and Clayton
Southeast corner of Steiner and Haight
Northeast corner of Fell and Divisadero
Southwest corner of Grove and Fillmore

Fire Hydrants

Southeast corner of McAllister and Scott
Northeast corner of Webster and Waller

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue

Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

San Francisco Examiner

Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily

Northwest corner of Hayes and Gough

City Star

Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly

Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi

To: Director, Commission Rogatoire

To: Chief, Police Department

To: Director, Medical Examiner

To: Office of the Mayor

Requesting/Inquiring: Requesting the report from the Commission Rogatoire, which formally concluded in France the week of January 19, under the direction of Judge Brigitte Jolivet, Judge of Instruction at the Tribunal of Great Instance in Paris, under the Ministry of the Justice, with the assistance of police investigators from the Central Office for the Repression of Violence against Persons, and under the Ministry of the Interior and Territories of France, that Hugues de la Plaza, a French and American citizen, was the victim of a homicide on June 2, 2007, in the city of San Francisco.

Further requesting a response to the Public Safety Committee by the SF Police Department, the SF Medical Examiner, and the Office of the Mayor, regarding corrective and/or preventative action to protect the integrity of this particular homicide investigation, as well as any other cases not classified as "homicide". A closed session in Committee may be warranted due to the sensitive nature of an ongoing investigation.

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: Outlines of process, timeline, and costs/benefits analysis of creation of:

- 1) Park Assessment District(s)
- 2) Parcel tax for the purposes of funding baseline park maintenance

From: Supervisor Alioto-Pier

To: Director, Treasure Island Development Authority-Building 3

Requesting/Inquiring: How much money the Treasure Island Development Authority has generated by the lease of Building 3 on Treasure Island in the years 2003-2008. Requesting this response by February 6, 2009.

From: Supervisor Chu

To: Director, Municipal Transit Agency

Requesting/Inquiring: The feasibility of installing the following traffic calming measures at the following locations:

Pedestrian crossing signage - Wawona and 20th Avenue

Signage designating bike lane -Great Highway between Lincoln and Sloat

Speed bumps - 39th Avenue near Lawton Street

Stop sign - 30th Avenue and Pacheco Street

Stop sign - 45th Avenue and Lawton Street

From: Supervisor Chu

To: City Attorney

Requesting/Inquiring: Requesting that the City Attorney look into municipal codes regarding the issuing and revocation of massage parlor permits; and to research possible amendments that would revoke those permits after multiple citations for solicitation.

From: Supervisor Chu

To: Office of the Legislative Analyst

Requesting/Inquiring: Requesting that the Legislative Analyst provide an analysis of the conviction success rate of massage parlor violations since jurisdiction has been transferred from the Police Department to the Department of Public Health.

From: Supervisor Dufty

To: Director, Housing Authority

Requesting/Inquiring: Requesting that a letter be written to San Francisco Housing Authority Director, Henry Alvarez, for his review and comment on recommendations for automating waiting lists for Section 8 as well as the housing opportunities for persons with AIDS (HOPWA) pursuant to the report by the Office of the Legislative Analyst.

In Memoriams

Ave Montague - Entire Board

Christina Middlebrook – Supervisor Dufty

Ruth Levinson Halperin – Supervisor Dufty

Rabbi Jack Frankel – Supervisor Dufty

Mary Shufat – Supervisor Dufty

Martin Delaney – Supervisor Dufty

John Behanna – Supervisor Chiu

Helen Julia Hanna – Supervisor Chiu

Lynette Chan – Supervisor Alioto-Pier

Richard "Dick" Sklar – Supervisor Alioto-Pier

Caprice Darnell Curry – Supervisor Daly

Irma Scarabosio – Supervisor Elsbernd

Cathie Guntli – Supervisor Campos

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tel. No. 554-5184
TDD No. 554-5227

Legislation Introduced
Including All Off-Calendar Items
February 3, 2009

OFF-AGENDA LEGISLATION

GOVERNMENT
DOCUMENTS DEPT

FEB - 6 2009

Introduced by Supervisors or Mayor

SAN FRANCISCO
PUBLIC LIBRARY

090130 [Health Care Accountability Components]

Ordinance amending Health Code Section 12Q.3 on the calculation of the health care accountability fee for covered contracting parties and increasing the existing fee and amending Section 12Q.2.9 to increase the number of hours an employee must work to be considered a covered employee. Supervisor Alioto-Pier presented. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

090131 [Appropriating \$17,000,000 of State Loans for West Marina Yacht Harbor Renovations in the Recreation and Park Department for Fiscal Year 2008-2009]

Ordinance appropriating \$17,000,000 of loan funding from the California Department of Boating and Waterways for renovations of the West Marina of the Marina Yacht Harbor in the Recreation and Park Department for Fiscal Year 2008-2009, and placing \$15,500,000 on Controller's Reserve pending receipt of the funds from the State. Supervisor Alioto-Pier presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090133 [Gross Receipts Tax]

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Gross Receipts Tax Ordinance), Sections 951 through 958, to impose a gross receipts tax on persons engaging in business activities in San Francisco; (2) amend Article 12 (Business Registration Ordinance) to conform business registration requirements with the enactment of Article 12-A-1 (Gross Receipts Tax Ordinance); and (3) amend Article 6 (Common Administrative Provisions) to conform them with the enactment of Article 12-A-1 (Gross Receipts Tax Ordinance); and (4) amend Article 12-A (Payroll Expense Tax Ordinance) to conform it with the enactment of Article 12-A-1 (Gross Receipts Tax Ordinance). Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090134 [0.50% Sales Tax Increase for Emergency Health and Human Services and Public Protection]

Ordinance amending the San Francisco Business and Tax Regulations Code to add Article 16-A to provide additional support for emergency health and human services and public protection to residents of the City and County of San Francisco by imposing a transactions (sales) and use tax at the rate of one-half of one percent (0.50%) for a period of three (3) years, to be administered by the State Board of Equalization in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code; adopting an expenditure plan; and directing submission of the tax for voter approval at the June 2, 2009 election. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090135 [Payroll Expense Tax]

Ordinance amending (1) Section 903.1 to reduce the Payroll Expense Tax rate from 1.5% to 1.0%, for business whose taxable payroll expense exceeds \$300,000, but is less than or equal to \$400,000, beginning with the 2010 tax year; and (2) Section 905-A to increase the Small Business Tax Exemption to include all taxpayers whose taxable payroll expense is \$300,000 or less, beginning with the 2010 tax year. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 090136 [Measure adopting and submitting to the voters an ordinance imposing a local assessment on all vehicles in San Francisco that are subject to Department of Motor Vehicle registration]**
Ordinance adopting and submitting to the voters the ordinance amending the San Francisco Business and Tax Regulations Code to add Article 8 imposing a voter-approved local assessment on the privilege of a resident of the City and County to operate upon the public highways in the City and County a vehicle or trailer coach, the registrant of which is subject to tax under Part 5 (commencing with Section 10701) of the California Revenue and Taxation Code, at a rate not to exceed the difference between two percent of the market value of the vehicle or trailer coach and the rate imposed by the State of California pursuant to Section 10751 of the Revenue and Taxation Code, administered by the State Department of Motor Vehicles; acknowledging that state law has not yet been enacted authorizing the imposition of the assessment but approving imposition of such a charge at the specified rate when and if state law authorizes the City to impose it and directing submission of the measure for voter approval at the June 2, 2009 special election. Supervisors Chiu, Duffy presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090137 [Landmark Tree Designation of California Buckeye, Aesculus Californica, located behind 757 Pennsylvania Street]**
Ordinance designating the California Buckeye (Aesculus Californica) located behind 757 Pennsylvania Street (Assessor's Block 4168, Lot 011) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation. Supervisor Maxwell presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 090140 [De-appropriating \$1,000,000 of Power for Resale for use with the Solar Incentive Program at the Public Utilities Commission for Fiscal Year 2008-2009]**
Ordinance de-appropriating \$1,000,000 of Power for Resale expenses and appropriating \$1,000,000 for the Solar Incentive Program at the Public Utilities Commission for Fiscal Year 2008-2009, allowing \$500,000 of low income/nonprofit funding to be utilized for the general GoSolarSF program, and amending San Francisco Environmental Code section 18.7-5 Mayor, Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090141 [Zoning - Ordinance Making Tobacco Paraphernalia Establishments a Non-Permitted Use in the Haight Street Neighborhood Commercial District and in the newly created Lower Haight Street Tobacco Paraphernalia Restricted Use District]**
Ordinance amending the Planning Code to amend Section 227(v), to create a special definition for Tobacco Paraphernalia Establishments applicable in the Haight Street Neighborhood Commercial District and in the Lower Haight Street Tobacco Paraphernalia Restricted Use District, as defined; amending Section 790.123 to refer to this special definition; amending Section 719.1 and the Table at Section 719, to make Tobacco Paraphernalia Establishments, as defined, not permitted in the Haight Street Neighborhood Commercial District; adding new Section 786, to create the Lower Haight Street Tobacco Paraphernalia Restricted Use Subdistrict; amending Section 186.1, to change the period of non use for a non conforming Tobacco Paraphernalia Establishment use to be deemed discontinued in the Haight Street Neighborhood Commercial District and in the newly created Lower Haight Street Tobacco Paraphernalia Restricted Use Subdistrict from three years to eighteen months; amending Special Use District Map SU 07 of the Zoning Map of the City and County of San Francisco, to reflect the new Lower Haight Street Tobacco Paraphernalia Restricted Use Subdistrict, and making findings, including findings of consistency with the Priority policies of Planning Code Section 101.1 and environmental findings. Supervisor Mirkarimi presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

Resolutions

- 090132 [Accept and expend grant funds for children's dental disease prevention services]**
Resolution authorizing the San Francisco Department of Public Health (SF DPH) to accept and expend retroactively a three-year grant from the California Department of Public Health (CA DPH), to fund the California Dental Disease Prevention Program (CCDDPP), for the period of July 1, 2007 through June 30, 2010; and authorizing SF DPH to execute all documents and subsequent amendments related to this contract. Supervisor Avalos presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 090138 [Accept and expend grant funds to support the 3rd Street Clinic expansion - \$115,191]**
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and retroactively expend grant funds in the amount of \$115,191 for a three-year project from the 3rd Street Youth Center to expand clinic hours at the 3rd Street Clinic from 12 hours per week to 20 hours per week; for the period of February 1, 2009 through January 31, 2012. Supervisor Maxwell presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 090142 [Accept and expend grant - Funding a Healthy San Francisco program evaluation - \$300,000]**
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$300,000 from the Blue Shield of California Foundation to fund a Healthy San Francisco program evaluation; for the period of January 1, 2009 through June 30, 2010. Mayor presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 090143 [Extending the Library Citizens Advisory Committee]**
Resolution extending the operation of the Library Citizens Advisory Committee to March 1, 2011. Supervisor Daly presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090144 [Commending Margaret Brodtkin on over 30 years of service on behalf of San Francisco children and families]**
Resolution commending Margaret Brodtkin on over 30 years of service on behalf of San Francisco children and families. Supervisors Duffy, Maxwell, Avalos, Campos, Mirkarimi, Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090145 [Commending David H. Williams and his 19 years of dedicated work to the Human Services Agency for the City and County of San Francisco since 1990]**
Resolution commending David H. Williams and his dedication to the Human Services Agency for the City and County of San Francisco since 1990. Supervisor Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090146 [Commending Richard Rothman for 25 years of dedicated service to the City and County of San Francisco]**
Resolution commending Richard Rothman for 25 years of dedicated service to the City and County of San Francisco. Supervisor Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090147 [Commending Senator Dianne Feinstein for her successful chairing of the 2009 Joint Congressional Committee on Inaugural Ceremonies]**
Resolution commending Senator Dianne Feinstein for her successful chairing of the 2009 Joint Congressional Committee on Inaugural Ceremonies. Supervisors Duffy, Maxwell, Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090148 [Supporting Earth Hour 2009 - March 28, 2009]**
Resolution declaring March 28, 2009 between 8:30-9:30PM as Earth Hour in San Francisco and urging all city government buildings, public schools and public landmarks to turn off non-essential lighting on this date and time. Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090149 [Celebrating the centennial of the National Association for the Advancement of Colored People (NAACP)]**
Resolution celebrating the centennial of the National Association for the Advancement of Colored People (NAACP). Supervisor Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

- 090121 [Controller's 6 Month Report]**
Hearing on the Controller's 6 Month Report. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090122 [Update from Mayor's Office and the Department of Human Resources with Labor Unions]**
Hearing regarding update from Mayor's Office and the Department of Human Resources with Labor Unions representing City Workers. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090123 [School Admissions Process]**
Hearing to receive an update from the San Francisco Unified School District on reform of the student assignment system. Supervisors Chu, Elsbernd presented. RECEIVED AND ASSIGNED to City and School District Select Committee.

- 090124 [Status of City support of programs for mothers and expectant mothers at Hilltop High School]**
Hearing to learn what support the City, through Department of Children, Youth and their Families (DCYF) or other agencies, provides to Hilltop High School's program for mothers and expectant mothers. Supervisor Duffy presented. RECEIVED AND ASSIGNED to City and School District Select Committee.
- 090125 [Department of Children, Youth and their Families/San Francisco Unified School District collaboration to develop a shared understanding of how public school facilities are public assets]**
Hearing to highlight a new collaboration between the Department of Children, Youth, and their Families (DCYF) and the San Francisco Unified School District (SFUSD) to develop a shared understanding among school, city, and community partners of how public school facilities are public assets, and to recommend joint use policy changes needed to implement this shared understanding. Supervisor Elsbernd presented. RECEIVED AND ASSIGNED to City and School District Select Committee.
- 090126 [Visitacion Valley Redevelopment Plan]**
Hearing on the status of the proposed Visitacion Valley Redevelopment Plan, including informational presentations by Planning and Redevelopment Staff. Supervisor Maxwell presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 090127 [1250 Missouri Street Development]**
Hearing regarding the development at 1250 Missouri Street and status of the City's enforcement actions on the property. Supervisor Maxwell presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 090128 [Budget Analyst's potential management audits in 2009]**
Hearing before the Government Audit and Oversight Committee for the purpose of reviewing the Budget Analyst's list of potential management audits to recommend priorities for the performance of audits in 2009 to the Board of Supervisors. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090129 [Mayor's Security Detail]**
Hearing including possible closed session before the Public Safety Committee for the purposes of examining the expense incurred by the City for the Police Department's provision of security services for the Mayor. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Public Safety Committee.

Motion

- 090150 [Waiving Board Rule 4.19 regarding consideration of Mayoral veto]**
Motion that the Board waives Board Rule 4.19 regarding consideration of a Mayoral veto. Supervisor Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

- 090007 [Requiring that one-time revenues be spent only for one-time uses, unless otherwise authorized by the Board of Supervisors]**
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by adding Section 9.119 to limit the expenditure of one-time revenues to one-time uses, unless the Board of Supervisors waives the limitation for a specific expenditure by a two-thirds' vote, and setting an operative date and an expiration date. Supervisors Elsbernd, Chu presented. ASSIGNED to Rules Committee.
- 090139 [Set-Asides]**
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 9.122, to set a dollar cap on all Charter set-asides, authorize reductions during fiscal shortfalls and waiver during emergencies, require the return of surplus balances, and establish City policies regarding future set-asides and non-binding measures. Supervisors Mirkarimi, Chiu, Elsbernd presented. RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

- 090076 [Administrative Code - Establishing Fees under the Community Preservation and Blight Reduction Act]
Ordinance amending the San Francisco Administrative Code Chapter 80, Section 80.4, to authorize the Department of Public Works to charge a fee of \$250 to cover the cost of inspecting blighted properties and to charge an increased fee to recover additional inspection costs incurred in enforcement of the Community Preservation and Blight Reduction Act; and making environmental findings. (Public Works Department) . ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 090077 [Approving a Zoning Map Amendment in association with the proposed Project at 420 29th Avenue]
Ordinance amending Sheet ZN04 of the Zoning Maps of the City and County of San Francisco for the real property located at 420 29th Avenue (Assessor's Block 1460/Lot 015) and known as St. Peter's Church between Geary Boulevard and Clement Street, to reclassify the property from an RH-2 (Residential House, Two-Family) District to an RM-1 (Residential Mixed, Low Density) District, in order to permit the development of a proposed affordable housing project for developmentally disabled adults; and adopting General Plan, Planning Code, and environmental findings. (Planning Department) . ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

- 090052 [Settlement of Administrative Enforcement Action - \$87,000]
Resolution approving the settlement of the unlitigated administrative enforcement action filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of \$87,000. (Public Utilities Commission) . RECEIVED AND ASSIGNED to Rules Committee.

Clerk to Act – February 3, 2009

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing the graffiti from the following locations:

Garbage Cans

Northeast corner of Haight and Fillmore
Northeast corner Buena Vista West and Haight
Northwest corner Grove and Fillmore
Southwest corner Buena Vista East and Haight
Southwest corner of Divisadero and McAllister

Mailboxes

Southwest corner Central and Waller
Northeast corner Baker and Haight
Southwest corner Broderick and McAllister
Northwest corner Eddy and Buchanan

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations:

Garbage Cans

Northwest corner Grove & Fillmore
Northwest corner of Frederick & Cole
Northeast corner Haight and Buchanan

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property at the following locations:

Utility Boxes

Northeast corner Stanyan & Hayes

Bus Shelters

Southwest corner Buchanan & Haight
All bus shelters on Haight and Fillmore need power washing and Graffiti
Northeast Oak & Fillmore

Fire Hydrant

Northeast corner Steiner & Waller
Northeast corner Webster & Waller
Southeast corner Grove & Scott

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Pole

In front of 1334 Fulton
In front of 678 Waller
Northeast corner Stanyan & Hayes

Wood Pole

Southwest side of Steiner & Germainia

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

333 Cole
122 Webster
557 Ashbury
1425 Oak
428 Oak
421 Laguna
1601 Fulton
1435 Fulton
799 Haight
485 Scott

From: Supervisor Maxwell

To: Director, Planning Department

To: Director, Department of Building of Inspection

Requesting/Inquiring: Supervisor Maxwell inquires as to the status of enforcement actions on the development at 1250 Missouri Street.

From: Supervisor Dufty

To: Patrick Boyd, Adult Probation Department

To: Doug Shoemaker, Mayor's Office of Housing

To: Trent Rhorer, Human Services Administration

To: Marc Trotz, Department of Public Health

090181 [Planning Code amendments in connection with the Balboa Park Station Area Plan]

Ordinance amending the San Francisco Planning Code by adding and amending various sections to implement the Balboa Park Station Area Plan, running the length of Ocean Avenue generally from Manor Drive to San Jose Avenue, including properties adjacent to Geneva Avenue from Ocean Avenue to San Jose Avenue and properties adjacent to San Jose Avenue from Mt. Vernon Avenue to Ocean Avenue, and including the City College of San Francisco Phelan campus and San Francisco Public Utilities Commission property adjacent to Phelan Avenue; adopting the Balboa Park Station Area Plan impact fee subject to certain restrictions; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. Supervisors Avalos, Elsbernd presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

Resolutions

090182 [Federal Economic Recovery Support for Balboa Park Station Area Plan]

Resolution urging city departments to set the Balboa Park Station Area Plan as an identified priority when seeking Federal Economic Stimulus funding, and to work with San Francisco's Congressional delegation to ensure, to the extent possible, that Federal Economic Recovery legislation includes funding for the Balboa Park Station Area Plan. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

090183 [Declaring an emergency and authorizing submission of gross receipts tax]

Resolution declaring an emergency under California Constitution Article XIIIIC, Section 2(b) and authorizing submission of Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Gross Receipts Tax Ordinance), Sections 951 through 958, to impose a gross receipts tax on persons engaging in business activities in San Francisco; (2) amend Article 12 (Business Registration Ordinance) to conform business registration requirements with the enactment of Article 12-A-1 (Gross Receipts Tax Ordinance); and (3) amend Article 6 (Common Administrative Provisions) to conform them with the enactment of Article 12-A-1 (Gross Receipts Tax Ordinance); and (4) amend Article 12-A (Payroll Expense Tax Ordinance) to conform it with the enactment of Article 12-A-1 (Gross Receipts Tax Ordinance), as a general tax measure to the voters at a special election. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090184 [Measure adopting and submitting to the voters an ordinance imposing a local assessment on all vehicles in San Francisco that are subject to Department of Motor Vehicle registration]

Resolution declaring an emergency under California Constitution Article XIIIIC, Section 2(b) and authorizing submission of Ordinance adopting and submitting to the voters the ordinance amending the San Francisco Business and Tax Regulations Code to add Article 8 imposing a voter-approved local assessment on the privilege of a resident of the City and County to operate upon the public highways in the City and County a vehicle or trailer coach, the registrant of which is subject to tax under Part 5 (commencing with Section 10701) of the California Revenue and Taxation Code, at a rate not to exceed the difference between two percent of the market value of the vehicle or trailer coach and the rate imposed by the State of California pursuant to Section 10751 of the Revenue and Taxation Code, administered by the State Department of Motor Vehicles; acknowledging that state law has not yet been enacted authorizing the imposition of the assessment but approving imposition of such a charge at the specified rate when and if state law authorizes the City to impose it and directing submission of the measure for voter approval at the June 2, 2009 special election, as a general tax measure to the voters at a special election. Supervisors Chiu, Duffy presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090187 [Declaring an emergency and authorizing submission of payroll expense tax]

Resolution declaring an emergency under California Constitution Article XIIIIC, Section 2(b) and authorizing submission of Ordinance amending (1) Section 903.1 to reduce the Payroll Expense Tax rate from 1.5% to 1.0%, for business whose taxable payroll expense exceeds \$300,000, but is less than or equal to \$400,000, beginning with the 2010 tax year; and (2) Section 905-A to increase the Small Business Tax Exemption to include all taxpayers whose taxable payroll expense is \$300,000 or less, beginning with the 2010 tax year, as a general tax measure, to the voters at a special election. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090189 [Susan Langlands Day - February 28, 2009]

Resolution declaring February 28, 2009 "Susan Langlands Day" in the City & County of San Francisco. Supervisor Avalos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 090190 [Commending the Moby Dick bar for its 30 years of dedicated service to the Castro District]**
Resolution commending the Moby Dick Bar for its 30 years of dedicated service to the Castro District. Supervisor Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090191 [Amended Landmark Tree Criteria, Nomination and Evaluation Forms]**
Resolution amending Landmark Tree Criteria, Nomination and Evaluation Forms to be used in the implementation of a nomination, evaluation, and removal process for landmark trees in the City and County of San Francisco. Supervisor Mar presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090192 [Commending Star of the Sea School on their 100th year anniversary]**
Resolution commending Star of the Sea School on their 100th year anniversary. Supervisor Mar presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090193 [Requesting establishment of the Office of Urban Policy in President Obama's Administration]**
Resolution requesting that the proposed Office of Urban Policy in President Obama's Administration form a permanent advisory group to help guide that office in its efforts to provide assistance to our nation's urban areas. Supervisor Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090194 [Repealing the resolution calling a municipal special election for June 2, 2009]**
Resolution repealing the call for a municipal special election to be held June 2, 2009. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Rules Committee.
- 090195 [Calling a municipal special election to be held no later than August 31, 2009]**
Resolution calling for a municipal special election to be held no later than August 31, 2009, for the purpose of submitting revenue and fiscal measures to the voters. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Rules Committee.
- 090196 [Urging the House-Senate conference committee to prevent E-Verify requirements from being included in the final version of the federal economic stimulus bill]**
Resolution urging the House-Senate conference committee to prevent the E-Verify program, a faulty work-authorization verification system, from being included in the final version of the federal economic stimulus bill. Supervisors Campos, Chiu presented. RECEIVED AND ASSIGNED to Public Safety Committee.
- 090197 [Tax Exempt and Taxable Revenue Certificates of Participation]**
Resolution of the City and County of San Francisco authorizing the execution and delivery from time to time of its Tax-Exempt and Taxable Lease Revenue Commercial Paper Certificates of Participation in an amount not to exceed \$150,000,000 in order to provide short-term financing to pay for certain capital improvements, and approving and authorizing execution of a trust agreement and certain financing documents and authorizing other related actions. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 081394 [Adoption of the Mental Health Services Act (MHSA) Prevention and Early Intervention (PEI) Three Year Program and Expenditure Plan and Accept and Expend additional PEI Allocation]**
Resolution authorizing the adoption of the Mental Health Services Act Prevention and Early Intervention (PEI) Three Year Program and Expenditure Plan and authorizing the Department of Public Health to accept and expend the additional PEI allocation totaling \$874,700. (Public Health Department) . SUBSTITUTED.

Requests for Hearing

- 090173 [Impact on Public Safety of Juvenile Probation Department budget cuts]**
Hearing on the impact on public safety of Juvenile Probation Department budget cuts. Supervisor Campos presented. RECEIVED AND ASSIGNED to Public Safety Committee.
- 090174 [Removal of proposed child care facility at 525 Golden Gate Avenue]**
Hearing on the decision by the San Francisco Public Utilities Commission to remove the proposed child care facility from their new building proposed to be built at 525 Golden Gate Avenue. Supervisor Duffy presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090175 [Community input on the creation of jobs in San Francisco]

Hearing to obtain community input on the creation of jobs, particularly green collar jobs, in San Francisco as the City is positioning itself for Federal investment dollars. Supervisor Mar presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090176 [Federal Stimulus Dollars - how it would affect the SFUSD, SFCCD, pre-school and after school programs in S.F.]

Hearing to consider how federal stimulus dollars would affect the San Francisco Unified School District (SFUSD), San Francisco Community College District (SFCCD), and pre-school and after school programs in San Francisco. Supervisor Mar presented. RECEIVED AND ASSIGNED to City and School District Select Committee.

090177 [Final Report of the Fair Lending Working Group]

Hearing on the Final Report of the Fair Lending Working Group. Supervisor Maxwell presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

090188 [Hearing - Ordinance imposing a local assessment on all vehicles in San Francisco that are subject to Department of Motor Vehicle registration - June 2, 2009 special election]

Hearing to consider the possible adoption of an ordinance adopting and submitting to the voters the ordinance amending the San Francisco Business and Tax Regulations Code to add Article 8 imposing a voter-approved local assessment on the privilege of a resident of the City and County to operate upon the public highways in the City and County a vehicle or trailer coach, the registrant of which is subject to tax under Part 5 (commencing with Section 10701) of the California Revenue and Taxation Code, at a rate not to exceed the difference between two percent of the market value of the vehicle or trailer coach and the rate imposed by the State of California pursuant to Section 10751 of the Revenue and Taxation Code, administered by the State Department of Motor Vehicles; acknowledging that state law has not yet been enacted authorizing the imposition of the assessment but approving imposition of such a charge at the specified rate when and if state law authorizes the City to impose it and directing submission of the measure for voter approval at the June 2, 2009 special election.. ASSIGNED to Board of Supervisors.

Motions

090185 [Board of Supervisors to sit as a Committee of the Whole - February 17, 2009 - Vehicle License Fee]

Motion that the Board convenes as a Committee of the Whole on February 17, 2009, to consider Board of Supervisors file number 090136, a measure adopting and submitting to the voters an ordinance imposing a local assessment on all vehicles in San Francisco that are subject to Department of Motor Vehicle registration. Supervisor Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090186 [Waiving Board Rule 4.19 regarding consideration of Mayoral veto]

Motion that the Board waives Board Rule 4.19 regarding consideration of a Mayoral veto. Supervisor Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

090007 [Requiring that one-time revenues be spent only for one-time uses, unless otherwise authorized by the Board of Supervisors]

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding Section 9.119 to limit the expenditure of one-time revenues to one-time uses, unless the Board of Supervisors waives the limitation for a specific expenditure by a two-thirds' vote, and setting an operative date and an expiration date. Supervisors Elsbernd, Chu presented. ASSIGNED to Rules Committee.

090139 [Set-Asides]

Charter Amendment (Second Draft) to amend Charter of the City and County of San Francisco by adding Section 9.122, to set a dollar cap on all Charter set-asides, authorize reductions during fiscal shortfalls and waiver during emergencies, authorize the return of surplus balances, adjust mandatory service levels, and establish City policies regarding future set-asides and non-binding measures. Supervisors Mirkarimi, Chiu, Elsbernd presented. ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

090108 [De-appropriating \$11,617,063 of Water System Improvement Program funding at the San Francisco Public Utilities Commission]

Ordinance de-appropriating \$11,617,063 of Water System Improvement Program funding based on actions taken by the Budget and Finance Committee on Ordinance number 311-08 at the San Francisco Public Utilities Commission. (Public Utilities Commission) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – February 10, 2009

Requests Granted

From: Supervisor Elsbernd

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft a Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the City Attorney in light of significant exposure to litigation with the Roman Catholic Archdiocese of San Francisco related to the application of the City's Documentary Transfer Tax to certain property transfers. The Assessor-Recorder is authorized and is urged to attend. Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session because discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the potential litigation.

From: Supervisor Dufty

To: Ed Harrington, General Manager

Requesting/Inquiring: Inquiring to General Manager Ed Harrington as to the reasons and rationale for removing the proposed child care facility from the plans for the new SFPUC building located at 525 Golden Gate Avenue and what other changes/revisions have been made from the original plan submitted by the PUC.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Utility Boxes

Northeast corner Buchanan & Oak

Northwest corner Hayes and Webster

Garbage Cans

Southeast corner of Haight & Fillmore

Northeast corner of Cole and Haight

Northwest corner of Buchanan and Haight

Southeast corner Shrader & Haight

Fire Hydrant

Southeast corner Haight & Webster

Northeast corner Waller & Webster

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

Statue in the Panhandle on Broderick between Oak and Fell
500 Buchanan
295 Buchanan
99 Webster
1317 Haight
1401 Haight
1429 Haight
1606 Haight
1667 Haight
1695 Waller
1527 Waller
97 Central
1300 Haight
983 Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Metal Pole

Southeast corner Central and Haight
Southeast corner Ashbury and Haight
In front of 909 Haight
Southeast corner Scott and Haight

Wood Poles

Southwest corner of Ashbury and Haight
Northwest corner of Fell and Buchanan

Bus Shelters

Northeast corner of Buena Vista East
Fillmore and Haight, all four, graffiti and dirty
Southwest corner Haight and Buchanan

Mailboxes

Northeast corner Buena Vista East

Emergency Boxes

Northeast corner Haight & Shrader

From: Supervisor Campos

To: Chief Heather Fong, SFPD

Requesting/Inquiring: Supervisor Campos is requesting the following information:

- a. What cultural competency or other training does the San Francisco Police Department (SFPD) provide to its cadets and officers regarding the treatment of immigrants, regardless of immigration status?
- b. What cultural competency or other training does the San Francisco Police Department provide to its cadets and officers to prevent racial profiling and ensure fair and impartial policing?
- c. What kind of training does the SFPD provide to its cadets and officers regarding compliance with San Francisco's sanctuary city policies?
- d. For the years 2007 and 2008, broken down per month, how many people has SFPD cited for "obstruction of view" or other minor traffic violations per police district in San Francisco?
- e. What is the racial and ethnic breakdown of people cited in 2007 and 2008, broken down per month and per police district?
- f. When SFPD records the race and/or ethnicity of people cited for traffic violations, does SFPD include a category for Latino/Hispanic or does SFPD include these individuals in the Caucasian/White group?
- g. What, if any, steps has SFPD taken within the last year to enhance its relationships with San Francisco's immigrant communities and to ensure that victims and witnesses of crimes who are immigrants feel comfortable coming forward and reporting these crimes to SFPD?
- h. What is the budget of the Violence Reduction Unit in SFPD?
- i. In the last year, how many traffic, misdemeanor, and felony cases has this unit issued/initiated, broken down by police district, and by race and ethnicity.
- j. What are SFPD's policies and practices regarding taking identification cards (including green cards, drivers licenses, etc.) of people that SFPD stops, cites, or arrests?
- k. Does SFPD keep a record of the identification cards that have been confiscated? If so, how many identification cards did SFPD confiscate in 2008, broken down per month, per race and ethnicity, and per police district?
- l. How many vehicles did SFPD impound in 2007, 2008, and current year, broken down per month, per race and ethnicity, and per police district?

- m. What is SFPD doing to ensure that eligible youth are being referred to CARC (city's delinquency diversion program)?
- n. Before SFPD engage in any collaboration with ICE, including collaboration on ICE raids, what, if any, steps does SFPD take to ensure that the raid will not result in collateral detentions (i.e., detentions of family members, bystanders, children, neighbors)?
- o. What, if any, concrete steps does SFPD plan to take to address racial profiling concerns raised during the February 9, 2009 meeting of the Board of Supervisors' Public Safety Committee?

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: Friends of City Planning (FOCP) is a non-profit organization founded solely to support planning activities not funded by the City's budget. FOCP receives funding from private sector developers and other development interests. Michael Yarne sits on the board of directors for this organization and works in the Office of Economic and Workforce Development where he coordinates many planning & land use matters. Is there a conflict of interest in holding both of these positions?

In Memoriams

Joseph "Bud" Robbins – Supervisor Chu

Matthew Joseph Mirabella - Supervisor Chu

Jack McGowan – Supervisors Dufty and Campos

Myron Edward – Supervisor Mirkarimi

BOARD of SUPERVISORS



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San Francisco, CA 94102-4689
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TDD No. 554-5227

**Legislation Introduced
Including All Off-Calendar Items
February 24, 2009**

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

090219 [Amendment to post-employment restrictions]

Ordinance amending section 3.234 of the San Francisco Campaign and Governmental Conduct Code to extend the one-year restriction on communicating with one's former department to employees and officers who have transferred departments within the City, and to provide that an employee or officer may not be employed by a party to a City contract within one year after the contract date if the employee or officer participated personally and substantially in the award of the contract. Supervisor Elsbernd presented. RECEIVED AND ASSIGNED to Rules Committee.

090222 [Adopting the Redevelopment Plan for the Visitacion Valley Redevelopment Project]

Ordinance approving and adopting the Redevelopment Plan for the Visitacion Valley Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law; authorizing official acts in furtherance of this ordinance. Supervisor Maxwell presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090223 [Schlage Lock/Visitacion Valley Special Use District]

Ordinance amending the San Francisco Planning Code by adding Section 249.40 to establish the Visitacion Valley/Schlage Lock Special Use District which includes a portion of the Visitacion Valley neighborhood and the Schlage Lock site within the City and County of San Francisco, the boundaries of which are designated on Sectional Map No. 10 SU of the Zoning Maps of the City and County of San Francisco, and which generally includes the properties bounded by Bayshore, Blanken and Tunnel Avenue to the San Francisco/San Mateo County line to the south, including the properties fronting Bayshore Boulevard from Arleta Avenue to the San Francisco/San Mateo County line to the south and including the properties fronting Leland Avenue from Cora Street to Bayshore Boulevard; to require development within the Special Use District to adhere to the Visitacion Valley/Schlage Lock Design for Development document approved as part of the Visitacion Valley Redevelopment Plan. Supervisor Maxwell presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

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090224 [Zoning Map Amendments In Connection With Visitacion Valley Redevelopment Plan]

Ordinance amending the Zoning Map of the City and County of San Francisco by amending Sheet 10SU to establish a special use district for all property located within the Visitacion Valley Redevelopment Project Area, generally including the properties bounded by Bayshore, Blanken and Tunnel Avenue to the San Francisco/San Mateo County line to the south, including the properties fronting Bayshore Boulevard from Arleta Avenue to the San Francisco/San Mateo County line to the south and including the properties fronting Leland Avenue from Cora Street to Bayshore Boulevard; amending Sheet 10H of the Zoning Map to change the Height and Bulk District of the Visitacion Valley Redevelopment Project Area from a 40-X Height and Bulk District to a 55-X Height and Bulk District for property located in Subarea Zone 2 of the Visitacion Valley Redevelopment Plan; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1. Supervisor Maxwell presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090225 [Residential Water Conservation Ordinance Amendments]

Ordinance amending Chapters 12 and 12A of the San Francisco Housing Code to conserve existing water supplies by reducing the overall demand for water in residential buildings by amending the standards for required water conservation devices and requiring leak repair in all residential buildings, except for tourist hotels and motels, upon the occurrence of specific events. Mayor, Supervisor Maxwell presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090226 [Commercial Water Conservation Ordinance Amendments]

Ordinance amending Chapter 13A of the San Francisco Building Code to improve the water efficiency of commercial buildings by requiring water conservation devices to be installed no later than January 1, 2017, or upon major additions or improvements. Mayor, Supervisor Maxwell presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090227 [Building Code - Pilot Project Requiring Amended Certificates of Final Completion and Occupancy for Existing Buildings in the RTO and NCT zoned portions of the Market & Octavia Area Plan Within the Boundaries of District Five]

Ordinance amending the San Francisco Building Code by amending Section 109A to provide that in the RTO and NCT zoned portions of the Market & Octavia Area Plan within the boundaries of District Five, an Amended Certificate of Final Completion and Occupancy shall be issued for an existing building where a Certificate of Occupancy would be issued under the Code, and to require the Amended Certificate of Final Completion and Occupancy to include a reference to the date of the first certificate of occupancy and any subsequent certificates of occupancy that have been issued for the building. Supervisor Mirkarimi presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090228 [Temporary Revision of Payroll Expense Tax to Stimulate Job Retention and Creation]

Ordinance amending the San Francisco Business and Tax Regulations Code, Payroll Expense Tax Ordinance, by adding Section 905 to permit the Payroll Expense Tax owed for the year 2009 to be paid at the lower of the amount owed for 2008 or 2009 and for the year 2010 to be paid at the lower of the amount owed for 2008 or 2010, but not reducing any taxes attributable to payroll expenses for owners or beneficiaries of pass-through entities and others. Mayor presented. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

090229 [Temporary benefit payment to encourage investment]

Ordinance amending the San Francisco Administrative Code by adding Section ____ to provide a two year benefit payment for persons who purchase taxable business property in San Francisco in calendar year 2009. Mayor presented. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

090230 [MOU, Amendment No. 1 - Freight Checkers, Clerical Employees & Helpers, Local 856 (Supervising Registered Nurses, Unit 11.B.)]

Ordinance adopting and implementing Amendment #1 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the Freight Checkers, Clerical Employees & Helpers, Local 856 (Supervising Registered Nurses, Unit 11.B.) by implementing specified terms and conditions of employment for fiscal years 2008-2009, 2009-2010 and 2010-2011. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 080323 [Place of Entertainment Permits and Board of Appeals procedures]**
Ordinance amending the San Francisco Police Code by amending Sections 2.26, 1060, 1060.1, 1060.2, 1060.3, 1060.5, 1060.24, 1060.25 and 1060.29, by adding Sections 1060.20.1, 1060.20.2, 1060.20.3, 1060.20.4, 1060.24.1, 1060.24.2, 1060.29.1, 1060.30, 1060.31, 1060.32, 1060.33, and 1060.34, by repealing Sections 1060.4, 1060.20, and 1060.22, and by adding new Sections 1060.4 and 1060.20, relating to the application, approval, amendment, suspension, revocation, and transfer of Place of Entertainment Permits and One Night Event Permits (now called "One Time Event Permits"), including changes in penalties, and amending the San Francisco Business and Tax Regulations Code by amending Sections 8 and 26 to provide the time for appealing to the Board of Appeals, to provide an additional category of permit suspension and revocation actions that are not suspended pending a decision by the Board of Appeals, and to clarify the standards governing the review of permits. Mayor, Supervisor Maxwell presented. ASSIGNED to City Operations and Neighborhood Services Committee.
- 080324 [Extended-Hours Premises Permits]**
Ordinance amending the San Francisco Police Code by amending Sections 1070, 1070.1, 1070.2, 1070.3, 1070.5, 1070.7, 1070.8, 1070.19, 1070.22, and 1070.24, by adding Sections 1017.17.1, 1017.17.2, 1017.17.3, 1070.28, 1070.29, 1070.30, 1070.31, 1070.32, and 1070.33; by repealing Sections 1070.4, 1070.12, 1070.17, 1070.20, 1070.20-1, 1070.21, and 1070.26; and by adding new Sections 1070.4, 1070.17, and 1070.20, relating to the application, approval, amendment, suspension, revocation, and transfer of Extended-Hours Premises Permits, including changes in penalties. Mayor, Supervisor Maxwell presented. ASSIGNED to City Operations and Neighborhood Services Committee.

- 080380 [Unsolicited Print Publications--Stop Distribution Notice]**
Ordinance amending Section 184.69 – 184.72 and 184.74 of the Public Works Code to require publishers of unsolicited print publications to provide a toll-free number or an e-mail address for residents who do not want to receive such print publications; to prohibit the distribution of such print publications to residents who request not to receive such print publications; and to assess penalties. Supervisor Mirkarimi presented. ASSIGNED to City Operations and Neighborhood Services Committee.

Resolutions

- 090213 [Celebrating the Opening of the New Portola Branch Library on February 28, 2009]**
Resolution recognizing the Grand Opening of the new Portola Branch Library and commending the community and the San Francisco Public Library team for their hard work and commitment to San Francisco and the residents of the Portola district. Supervisors Maxwell, Campos presented. ADOPTED.
- 090220 [Apply-accept-expend State Grant Funds - Recreation and Park Department - \$65,000]**
Resolution authorizing the San Francisco Recreation and Park Department to apply, accept and expend a Urban Forestry Public Education administered by the California Department of Forestry and Fire Protection in the amount of \$65,000 for the Urban Forestry Project. Supervisor Mar presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090221 [Apply-accept-expend State Grant Funds - Recreation and Park Department - \$200,000]**
Resolution authorizing the San Francisco Recreation and Park Department to apply, accept and expend a Urban Forestry Inventory Grant administered by the California Department of Forestry and Fire Protection in the amount of \$200,000 for the Urban Forestry Inventory Project. Supervisor Mar presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090240 [Declaring the City's intention to appropriate available Rainy Day Reserve funds to the San Francisco Unified School District]**
Resolution declaring the City's intention to appropriate available Rainy Day Reserve funds to the San Francisco Unified School District, to help the District cope with the loss of State funding for the 2009-2010 school year. Mayor, Supervisors Dufty, Avalos, Chiu, Alioto-Pier, Campos, Maxwell, Mirkarimi, Chu, Mar presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090241 [90 day extension for Historic Preservation Commission review - The Metro Theatre]**
Resolution extending by 90 days the prescribed time within which the Historic Preservation Commission may render its decision on a proposed Resolution that would initiate the designation of The Metro Theatre, 2055 Union Street, Lot 018 in Assessor's Block 0541, as a landmark pursuant to Section 1004.1 of the Planning Code. Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 090242 [Urging passage of the Marijuana Control, Regulation and Education Act (AB 390) which would tax and regulate marijuana in a manner similar to alcohol]
Resolution supporting the recently proposed state legislation, the Marijuana Control, Regulation and Education Act (AB 390), which would tax and regulate marijuana in a manner similar to alcohol. Supervisors Campos, Avalos, Chiu, Daly, Mar, Maxwell, Mirkarimi, Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090243 [Urging Congress to pass the Uniting American Families Act]
Resolution urging Congress to pass the Uniting American Families Act and supporting the removal of legal barriers to immigration by permanent same-sex partners. Supervisors Campos, Duffy, Avalos, Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090246 [Urging President Barack Obama and Senators Barbara Boxer and Dianne Feinstein to appoint a new U.S. Attorney for the Northern District of California]
Resolution urging President Barack Obama and Senators Barbara Boxer and Dianne Feinstein to appoint a new U.S. Attorney for the Northern District of California. Supervisors Campos, Avalos, Daly, Mar, Mirkarimi, Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090247 [Celebrating the reopening of the Angel Island Immigration Station]
Resolution celebrating the reopening of the Angel Island Immigration Station. Supervisors Mar, Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090248 [Accept-Expend State Grant - Sheriff's Department - \$96,885]
Resolution authorizing the Sheriff's Department of the City and County of San Francisco to accept and expend \$96,885 in additional funds from the Corrections Standards Authority for the standards and training of local corrections and probation officers programs; stipulating adherence to standards for recruitment and training established by the Corrections Standards Authority, waiving any indirect costs. Supervisor Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090249 [Urging the organizers of the Bay to Breakers to collaborate on a comprehensive plan that protects the neighborhoods while preserving the unique spirit of the race]
Resolution urging the sponsors of the Bay to Breakers race to work with city agencies, neighborhood groups, and race advocates to develop a comprehensive plan that protects the host neighborhoods while preserving the unique spirit of the race. Supervisors Mirkarimi, Mar, Avalos, Maxwell, Campos, Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings

- 090214 [Culture and Recreation Departments budget submission to the Mayor's Office on the proposed mid-year cuts]
Hearing to consider Culture and Recreation Departments including the Recreation and Parks Department and the Fine Arts Museum's February 20, 2009 departmental budget submissions to the Mayor's Office, proposed mid-year reductions and layoffs, major changes to departmental budgets including plans for consolidation, new initiatives, proposed layoffs and service cuts, impacts to non-profit service delivery, fee increases and other options for increasing revenues. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090215 [General Services Agency budget submissions to the Mayor's Office on the proposed mid-year cuts]
Hearing to consider the General Services Agency Budget, including Department of Public Works, Department of Technology, and the 311 Projects' February 20, 2009 departmental budget submissions to the Mayor's Office, proposed mid-year reductions and layoffs, major changes to departmental budgets including plans for consolidation, new initiatives, proposed layoffs and service cuts, impacts to non-profit service delivery, fee increases and other options for increasing revenues. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 090216** [Health and Human Services Departments budget submission to the Mayor's Office on the proposed mid-year cuts]
Hearing to consider Health and Human Services Departments: Human Services Agency (HSA), Department of Public Health (DPH), and Department of Children, Youth, and their Families' (DCYF) February 20, 2009 departmental budget submissions to the Mayor's Office, proposed mid-year reductions and layoffs, major changes to departmental budgets including plans for consolidation, new initiatives, proposed layoffs and service cuts, impacts to non-profit service delivery, fee increases and other options for increasing revenues. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090217** [Public Safety Departments budget submission to the Mayor's Office on the proposed mid-year cuts]
Hearing to consider Public Safety Departments including the Police, Fire, Sheriff, District Attorney, Public Defender, Adult Probation and Juvenile Probation Departments' February 20, 2009 departmental budget submissions to the Mayor's Office, proposed mid-year reductions and layoffs, major changes to departmental budgets including plans for consolidation, new initiatives, proposed layoffs and service cuts, impacts to non-profit service delivery, fee increases and other options for increasing revenues. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090218** [2009 Summer Programs for Children and Youth in San Francisco]
Hearing to review the 2009 summer programs for children and youth in San Francisco in order to discuss what programs will be available to the public and how best to access these programs. Hearing will also address current collaboration between the city, school district, and community partners to provide summer programs, and recommend ways to better coordinate in the future. Hearing will examine ways to more effectively promote these programs in order to increase awareness as to the availability of these opportunities. Supervisor Elsbernd presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Motions

- 090231** [Extending Time for Negotiations with Labor Unions to June 30, 2009]
Motion extending time for negotiations pursuant to Charter Section 11.100. Mayor presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090232** [Appointment, Historical Preservation Commission - Ruth Todd]
Motion approving the Mayor's nomination for appointment of Ruth Todd to the Historical Preservation Commission, Seat No. 2, for a two-year term ending date to be determined. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.
- 090233** [Appointment, Historical Preservation Commission - Ruth Todd]
Motion rejecting the Mayor's nomination for appointment of Ruth Todd to the Historical Preservation Commission, Seat No. 2, for a two-year term ending date to be determined. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.
- 090234** [Appointment, Historical Preservation Commission - Tim Kelley]
Motion approving the Mayor's nomination for appointment of Tim Kelley to the Historical Preservation Commission, Seat No. 4, for a two-year term ending date to be determined. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.
- 090235** [Appointment, Historical Preservation Commission - Tim Kelley]
Motion rejecting the Mayor's nomination for appointment of Tim Kelley to the Historical Preservation Commission, Seat No. 4, for a two-year term ending date to be determined. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.
- 090236** [Appointment, Historical Preservation Commission - Diane Matsuda]
Motion approving the Mayor's nomination for appointment of Diane Matsuda to the Historical Preservation Commission, Seat No. 7, for a four-year term ending date to be determined. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.

090237 [Appointment, Historical Preservation Commission - Diane Matsuda]

Motion rejecting the Mayor's nomination for appointment of Diane Matsuda to the Historical Preservation Commission, Seat No. 7, for a four-year term ending date to be determined. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.

090239 [Adopting a proposed schedule of audits to be conducted of programs of City and County departments]

Motion adopting a proposed schedule of audits to be conducted of programs of City and County departments. Supervisor Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

090117 [Settlement of Lawsuit - Antia Lelaind - \$175,000]

Ordinance authorizing settlement of the lawsuit filed by Antia Lelaind against the City and County of San Francisco et al. for \$175,000; the lawsuit was filed on September 22, 2006, in the United States District Court of the Northern District of California, Case No. C06-05870 MHP; entitled Antia Lelaind v. City and County of San Francisco, et al. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

090158 [Settlement of Lawsuit - Mark Boyd - \$85,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Mark Boyd against the City and County of San Francisco for \$85,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

090170 [Mission Bay North-Acceptance of Blocks N4, N4A and N5 Public Infrastructure Improvements]

Ordinance accepting the Mission Bay Blocks N4, N4A and N5 Public Infrastructure Improvements on Berry Street Connector Road, King Street Frontage Road and portions of Berry Street and Fifth Street; designating street grades and sidewalk widths; accepting the Irrevocable Offers of the acquisition facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 178,006; and authorizing official acts in connection with this ordinance. (Public Works Department) . RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

090171 [Mission Bay-Acceptance of 16th Street and Vermont Street Intersection Public Infrastructure Improvements]

Ordinance accepting the 16th Street and Vermont Street Intersection Public Infrastructure Improvements; accepting the Irrevocable Offers of the acquisition facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,016; and authorizing official acts in connection with this ordinance. (Public Works Department) . RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

090172 [Settlement of complaint before the Federal Energy Regulatory Commission and approval of Revised Procedures]

Ordinance authorizing settlement of proceedings before the Federal Energy Regulatory Commission in FERC Dockets No. ER05-516-000, et al, initiated by the City against Pacific Gas & Electric Company contesting costs and terms and conditions for the interconnection of City facilities under the Interconnection Agreement with PG&E and approving the Revised Procedures for interconnection of City facilities. (Public Utilities Commission) . RECEIVED AND ASSIGNED to Rules Committee.

090199 [Conflict of Interest Code Amendments]

Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by amending sections 3.1-110, 3.1-120, 3.1-145, 3.1-155, 3.1-165, 3.1-175, 3.1-195, 3.1-207, 3.1-218, 3.1-251, 3.1-253, 3.1-267, 3.1-275, 3.1-280, 3.1-285, 3.1-315, 3.1-320, 3.1-340, 3.1-345, 3.1-362, 3.1-365, 3.1-395, 3.1-410, 3.1-415, 3.1-420, 3.1-422, 3.1-435, 3.1-460, deleting sections 3.1-193, 3.1-300, 3.1-350, 3.1-425, and adding sections 3.1-158, 3.1-268, 3.1-350 to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure categories. (Clerk of the Board) . ASSIGNED UNDER 30 DAY RULE to Rules Committee.

090202 [Approving General Plan Amendments Related to the Visitacion Valley Redevelopment Plan]

Ordinance amending the San Francisco General Plan by approving General Plan amendments to implement the Visitacion Valley Redevelopment Plan (which includes a portion of the Visitacion Valley neighborhood and the Schlage Lock site within the City and County of San Francisco, the boundaries of which are designated on Sectional Map No. 10 SU of the Zoning Maps of the City and County of San Francisco, and which generally includes the properties bounded by Bayshore, Blanken and Tunnel Avenue to the San Francisco/San Mateo County line to the south, including the properties fronting Bayshore Boulevard from Arleta Avenue to the San Francisco/San Mateo County line to the south and including the properties fronting Leland Avenue from Cora Street to Bayshore Boulevard) by amending the Arts Element, Commerce and Industry Element, Recreation and Open Space Element, Transportation Element, and Urban Design Elements; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1. (Planning Department) . ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090203 [Zoning Map Amendment - 401 - 421 Shields Street]

Ordinance amending the San Francisco Planning Code by amending Sheet 12 of the Zoning Map of the City and County of San Francisco to change the zoning of the properties located at 401-421 Shields Street, Block 7074, Assessor's Lot Nos. 001, 046, 047, 048, from P (Public) to RH-1 (Residential, House Districts, Single-Family); adopting findings, including environmental findings and findings of consistency with the General Plan and Priorities of Planning Code Section 101.1(b). (Planning Department) . ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

090155 [Settlement of Claim - Deo Dutt - \$98,443.83]

Resolution approving the settlement of unlitigated claim of State Farm Insurance Company as subrogee for Deo Dutt against the City and County of San Francisco for \$98,443.83; claim was filed on October 21, 2008. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

090198 [Accept-Expend Federal Grant Funds - San Francisco Fire Department - \$297,030]

Resolution authorizing the San Francisco Fire Department to retroactively accept and expend a grant in the amount of \$297,030 from the Federal Emergency Management Agency (FEMA) to develop and implement an Advanced Driver Training Program for its uniformed employees. (Fire Department) Supervisor Duffy presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Clerk to Act – February 24, 2009

Board Minutes for January 6, 2009 and January 8, 2009 approved.

Requests Granted

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft an ordinance requiring any supermarket that would establish a convenience zone, as designated by the State Department of Conservation, but does not currently have a recycling redemption center on site, to offer in-store redemption for recycling beverage containers, or to establish a recycling redemption center.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans

Northeast corner Bush & Laguna

Northwest corner Ashbury & Waller

On Haight near Central (south side of street)

Northeast corner Bush and Laguna

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations:

Potholes

On Lincoln, from 7th Avenue to 19th Avenue (street patches are crumbling also around sewer manholes)

On Fillmore between Turk and O'Farrell

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

619 Webster (on fence)

250 Scott

1160 Oak

401 Haight

484 Haight

44 Haight
445 Scott
1401 Haight
1372 Haight
1352 Haight
400 Page
428 Haight
485 Scott

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Pole

In front of 1157 Fell
Southeast corner Fell & Scott
Northeast corner Lyon & Scott
Southwest corner of Grove & Scott
Northwest corner Laguna & Haight

Wood Pole

Northwest corner Page & Webster
In front of 408 Buchanan

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian:

Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle:

Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Ave.
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner:

Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily:

Northwest corner of Hayes and Gough

City Star

Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly:

Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes

Northeast corner & Steiner
Northeast corner Bush & Buchanan
Northeast corner Oak and Buchanan
Northeast Fell and Buchanan
In front of 1213 Fell
Southwest corner Turk & Pierce
Southwest corner Turk & Webster
Southwest corner Golden Gate & Laguna
Northeast corner Buchanan & Linden (2 boxes)

Bus Shelters

Southeast corner Carl & Cole
Southeast corner Geary & Scott
Southwest corner Buchanan & Haight
All bus shelters on Haight and Fillmore need power washing and Graffiti
Southeast corner Buena Vista East
Southwest corner Buena Vista West
Southeast corner Geary and Divisadero
Southwest corner Grove & Gough

Fire Hydrant

Northwest corner Fell & Webster

Emergency Boxes

Northeast corner Golden Gate & Scott

From: Supervisor Duffy

To: Recreation and Park Commission

Requesting/Inquiring: Inquiring that the Recreation and Park Commission review the request for a plaque in Golden Gate Park honoring Jose Simon, founder of Comedy Day.

Starting in 1981, more than 500 of the world's funniest comedians have performed free-of-charge in Golden Gate Park, most recently Sharon Meadows.

Mr. Simon's widow, Gail Simon, testified during today's public comment at the Board of Supervisors and has petitions signed by more than a thousand citizens.

It would be appreciated if the Commission would respond directly to Ms. Simon and advise the Board of the process to establish a plaque recognizing Mr. Simon's contributions.

In Memoriams

Dr. Shyamala Harris – Entire Board

James Joseph Brett, Jr. – Supervisor Alioto-Pier

John Harleman – Supervisor Alioto-Pier

Sherri Manning – Supervisor Chiu

Harold "Hersh" Zimmerman – Supervisor Duffy

Louise Colthirst – Supervisor Mar

Claudia Lebish – Supervisor Mirkarimi

BOARD of SUPERVISORS



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San Francisco, CA 94102-4689
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TDD No. 554-5227

**Legislation Introduced
Including All Off-Calendar Items
March 3, 2009**

OFF-AGENDA LEGISLATION

**GOVERNMENT
DOCUMENTS DEPT**

MAR - 6 2009

Introduced by Supervisors or Mayor

Ordinances

**SAN FRANCISCO
PUBLIC LIBRARY**

- 090274 [Planning - Union Street Neighborhood Commercial District - Small Self-Service Restaurants and Self-Service Specialty Food Uses]**
Ordinance amending Planning Code Section 725.1, Section 725.44, and Section 725.69A of the Union Street Neighborhood Commercial District Zoning Control Table to provide for a limited number of new Small Self-Service Restaurants and Self-Service Specialty Food uses subject to conditional use authorization by the Planning Commission, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. Supervisor Alioto-Pier presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 090275 [Waiver of temporary street space occupancy fee on April 4, 2009 for Cesar E. Chavez Holiday Parade and Festival 2009]**
Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain blocks of 24th Street on Saturday, April 4, 2009 as part of Cesar E. Chavez Holiday Parade and Festival 2009. Supervisor Campos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090276 [Housing Code Section 503(d) "Housing Access:" extend protections to all persons sharing housing by deleting references to "families;" and technical correction to Section 503(b)]**
Ordinance amending the San Francisco Housing Code Chapter 5, by amending Section 503(d) "Housing Access" to promote affordable housing by extending the protections of that Section to all persons sharing housing by deleting the references to "families," and to specify that the both prospective and current tenants are protected; amending Section 503(b) "Superficial Floor Area" to make a technical correction. Supervisors Daly, Chiu, Avalos, Mirkarimi, Campos presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 090277 [Residential Rent Ordinance: Limit total amount of annual and banked rent increases imposed to 8% per year, written advance notice of basis for banked increases required]**
Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.3: to limit the total amount of annual and banked rent increases that may be imposed in any one year to 8% of the tenant's base rent, and to provide that any remaining banked increase may be imposed in the following years, subject to this same 8% limit (Section 37.3(a)(2)); and to require that landlords provide written advance notice to tenants stating the dates upon which the banked increase is based (Section 37.3(b)(1)). Supervisors Daly, Chiu, Avalos, Mirkarimi, Campos presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

- 090278 [Residential Rent Ordinance: Tenant financial hardship relief from Section 37.3 rent increases, when total rent would exceed 33% of tenant's gross income; multilingual outreach]**
Draft ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance," by amending Section 37.3 to add Subsection (f) "Tenant Financial Hardship Applications" to provide tenant relief from Section 37.3 rent increases, with relief determined solely on whether the rent increase would result in tenant's total rent exceeding 33% of tenant's gross income; rent increase stayed pending determination of application; rent increase will not be in effect until the increase will not cause tenant financial hardship, or until the landlord can demonstrate that "inability to impose the rent increase is causing the landlord greater hardship than the tenant's hardship;" hardship applications to be available in multiple languages; multilingual notice of hardship application procedures to be mailed with each Administrative Law Judge or Rent Board decision; Rent Board to implement a process for outreach to landlords and tenants whose primary language is not English regarding availability and use of the hardship application procedure, and report to the Board of Supervisors describing the implementation process and any known results. Supervisors Daly, Avalos, Mirkarimi, Campos presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 090279 [Residential Rent Ordinance: Prohibit rent increases and evictions based on additional occupants where total number is within Housing Code Section 503 occupancy limits]**
Draft ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Sections 37.3 and 37.9: to prohibit rent increases based on the addition of occupants, even where a pre-existing rental agreement or lease otherwise permits a rent increase for additional occupants (Section 37.3(a)(11)); and to prohibit evictions based on the addition of occupants, so long as the total number of occupants does not exceed the maximum number of occupants per sleeping room set by San Francisco Housing Code §503(b) "superficial floor area" standards (Section 37.9(a)(2)). Supervisors Daly, Chiu, Avalos, Mirkarimi, Campos presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 090286 [Amending provisions of Chapter 18 of the Administrative Code to specify enforcement and consolidate reporting requirements]**
Ordinance adopting and implementing amendments to Secs. 18.13-1 and 18.13-5 of the San Francisco Administrative Code. Supervisor Mirkarimi presented. ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee.
- 090287 [State Video Franchise Holders]**
Ordinance amending the San Francisco Administrative Code by: (1) amending Section 11.1 and adding Section 11.28-A, to establish a fee for state video franchise holders offering services in San Francisco to support public, educational, and government channel facilities and activities; and (2) amending Section 11.1 and adding Section 11.83-A, to establish penalties for violation of customer service and consumer protection standards by state video franchise holders. Supervisor Mirkarimi presented. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

Resolutions

- 090241 [90 day extension for Historic Preservation Commission review - The Metro Theatre]**
Resolution extending by 90 days the prescribed time within which the Historic Preservation Commission may render its decision on a proposed Resolution that would initiate the designation of The Metro Theatre, 2055 Union Street, Lot 018 in Assessor's Block 0541, as a landmark pursuant to Section 1004.1 of the Planning Code. Supervisor Alioto-Pier presented. REFERRED to Land Use and Economic Development Committee.
- 090249 [Urging the organizers of the Bay to Breakers to collaborate on a comprehensive plan that protects the neighborhoods while preserving the unique spirit of the race]**
Resolution urging the sponsors of the Bay to Breakers race to work with city agencies, neighborhood groups, and race advocates to develop a comprehensive plan that protects the host neighborhoods while preserving the unique spirit of the race. Supervisors Mirkarimi, Mar, Avalos, Maxwell, Campos, Dufty, Chiu presented. REFERRED to City Operations and Neighborhood Services Committee.
- 090280 [Accept-expend State Grant Funds - S.F. Recreation and Park Department - \$157,000]**
Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a Habitat Conservation Fund Grant administered by the California Department of Parks and Recreation in the amount of \$157,000 for the Glen Canyon Islais Creek Restoration Project. Supervisor Dufty presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 090281 [Adopting findings related to San Francisco Public Utilities Commission Water System Improvement Program (WSIP) Alameda Siphon No. 4 Project]**
Resolution adopting findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program, related to the funding of the Alameda Siphon No. 4 Project, and directing the Clerk of the Board of Supervisors to notify the Controller of this action. Supervisor Elsbernd presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090282 [Accept-Expend Federal Grant Funds - Department of Public Works - \$1,475,675]**
Resolution authorizing the Department of Public Works to retroactively accept and expend a grant in the amount of \$1,475,675 from the U.S. Department of Justice, Bureau of Justice Assistance Edward Byrne Memorial Discretionary Grants Program. Supervisor Elsbernd presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 090283 [Accept and Expend Department of Energy 700 Pennsylvania Avenue Grant Funds]**
Resolution authorizing the San Francisco Public Utilities Commission (SFPUC) to accept and expend a grant in the amount of \$610,080 from the U.S. Department of Energy through the Consolidated Appropriations Act of 2008 under the Energy Policy Act of 2005 (P.L. 109-58) for the Muni Ways & Structures Building (700 Pennsylvania Avenue) Solar Evaluation Project. Supervisor Maxwell presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 090284 [Endorsing the Recommendations of the San Francisco Fair Lending Working Group]**
Resolution endorsing the findings and recommendations contained in the final report of the San Francisco Fair Lending Working Group. Supervisor Maxwell presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 090285 [Adoption of Board of Supervisors 2009 Budget Process and Policy Priorities]**
Resolution adopting the San Francisco Board of Supervisors' 2009 Budget Process and Policy Priorities. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090288 [Accept-Expend State Grant Funds - Recreation and Park Department - \$40,045]**
Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant in the amount of \$40,045 for the Marina Green Pedestrian and Bicycle Improvement Project, under the Bicycle Facility Fund administered by the Bay Area Air Quality Management District (Air District). Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090289 [Accept-Expend Grant Funds - Recreation and Park Department - \$35,189]**
Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a Carl Moyer Program Grant administered by the Bay Area Air Quality Management District (Air District) in the amount of \$35,189.00 for the repowering (replacement) of a workboat diesel engine belonging to and operated by San Francisco Small Craft Harbor/Recreation and Park Department. Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090290 [Mountain Lake Park - Toxicity Issue]**
Resolution urging CalTrans to use funds from the federal stimulus package to immediately resolve the toxicity issue at Mountain Lake through diversion of storm drains flowing directly into the lake and replacement of the outlet and overflow pipe and by dredging the lake to remove contaminated sediments and fill. Supervisors Alioto-Pier, Mar presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090291 [Supporting Senate Bill 810, the California Health Insurance Reliability Act]**
Resolution supporting Senate Bill 810, the California Health Insurance Reliability Act of Senate Bill 810. Supervisors Avalos, Campos, Daly, Mar, Mirkarimi, Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090292 [Mediation Week in San Francisco - March 16 - 20, 2009]**
Resolution declaring March 16th through 20th, 2009 as Mediation Week in San Francisco. Supervisor Chu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090293 [Declaring San Francisco Arbor Week - March 7 - 14, 2009]

Resolution declaring the week of March 7th through March 14th as Arbor Week in San Francisco. Supervisor Chu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090294 [Commending Ming Pao Daily News - San Francisco edition]

Resolution commending Ming Pao Daily News' San Francisco edition for five years of service to the Chinese-American community in the San Francisco Bay Area. Supervisors Chu, Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090295 [Accept- Expend Federal/State Pass Through Grant - San Francisco Public Library - \$5,000]

Resolution authorizing the Department of Public Library to retroactively accept and expend a grant in the amount of \$5,000 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for the SFPL Partnerships Plan which will provide a coherent system for staff to document, nurture, learn about, and extend partnerships that strengthen library ties within the community. Supervisor Chu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090296 [Ten Year Capital Expenditure Plan]

Resolution adopting the City's ten year capital expenditure plan for fiscal years 2010-2019. Mayor, Supervisor Chiu presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Request For Hearings

090269 [Crimes against women in the City and County of San Francisco]

Hearing on recent trends on crimes against women in the City and County of San Francisco. The hearing will explore recent trends, including statistical data, on crimes against women, such as rape, assault, domestic violence and any other crimes targeting women. The hearing will ask the San Francisco Police Department and the Mayor's Office of Criminal Justice to provide (1) an update on crime statistics as it applies to violence against women; 2) data and plans on the progress of crime fighting measures and any violence prevention programs as it related to women; 3) reports on the arrest, charged and prosecution of crimes against women; 4) any other information relevant to said subject; and (5) any plans to apply for funds mentioned in the American Recovery and Reinvestment Act of 2009 to combat violence against women. Supervisors Alioto-Pier, Campos presented. RECEIVED AND ASSIGNED to Public Safety Committee.

090270 [Three Year Budget Projection Report]

Hearing to consider the Three Year Budget Projection Report from the Controller, Budget Analyst, and Mayor's Budget Office. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090271 [Executive search for a new Chief of the San Francisco Police Department]

Hearing on the process that the San Francisco Police Commission will follow to conduct the executive search for a new Chief of the San Francisco Police Department. Supervisor Campos presented. RECEIVED AND ASSIGNED to Public Safety Committee.

090272 [San Francisco Police Department's Fraud Division]

Hearing to review the San Francisco Police Department's Fraud Division including levels of staffing, investigative backlogs and any increase in financial crimes including, but not limited to check fraud, embezzlement, forgery and identity theft in the City and County of San Francisco. Supervisor Duffy presented. RECEIVED AND ASSIGNED to Public Safety Committee.

090273 [Potrero Power Plant]

Hearing on the status of the plant's discharge permit and the ongoing investigation into soil and bay mud contamination at the Mirant Corporation's Potrero Power Plant. Supervisor Maxwell presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

090297 [Impacts of Cuts to Department of Building Inspection, Housing Inspection Division]

Hearing on the impacts of the cuts to Department of Building Inspection, Housing Inspection Division on San Francisco residents living in substandard housing. Supervisor Daly presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motion

090268 [Canceling the Regularly Scheduled Board Meeting on Tuesday, March 10, 2009]

Motion canceling the regularly scheduled Board meeting on Tuesday, March 10, 2009. Supervisor Chiu presented.
APPROVED.

PROPOSED ORDINANCES

090210 [Zoning Map Amendment - 2400 Irving Street]

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco by amending Sheet ZN05 and Sheet SU05 to change the zoning classification of the northern portion of the property located at 2400 Irving Street, Block 1725, Assessor's Lot No. 053, from RH-2 (Residential House, Two-Family) to NC-2 (Small-Scale Neighborhood Commercial District) and include it within the Irving Street Restaurant & Fast Food Restricted Use SUD; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and Priorities of Planning Code Section 101.1(b). (Planning Department) . ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090211 [Planning Code-Amending Appendix C to Article 11 Regarding 608 Folsom Street]

Ordinance amending the designation of 608 Folsom Street (Assessor's Block 3735, Lot 009) from Category V (Unrated) to Category III (Contributory) under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Commission) . ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090212 [Settlement of Lawsuit - State of California v. Foley, City and County of San Francisco, et al.]

Ordinance authorizing settlement of the lawsuit filed by State of California, acting through the Department of Transportation ("Caltrans") against the City and County of San Francisco in exchange for the provision of an easement modification agreement relocating certain access rights and otherwise preserving the pre-existing easement rights of the City and County of San Francisco and making environmental findings; the lawsuit was filed on June 29, 2006 in Alameda County Superior Court, Case No. RG06277087, entitled State of California v. Foley, City and County of San Francisco, et al.; other material terms of said settlement are set forth in the Stipulation For Judgment in Condemnation and [Proposed] Judgment (and exhibits thereto), contained in Board of Supervisors File No. 090212. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

Clerk to Act – March 3, 2009

Board Minutes for January 13, 2009 approved.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore and Post

Southwest corner of Divisadero and Sutter

9th Avenue and Judah (near bus stops)

7th Avenue and Irving (near bus stops)

Southeast corner of Fillmore and Haight

San Francisco Chronicle

Southeast corner of Haight and Fillmore

Irving and 9th Avenue

Irving and 7th Ave.

Southwest corner of Haight and Clayton

Southeast corner of Haight and Masonic

Examiner

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

SF Daily

Northwest corner of Hayes and Gough

City Star

Southeast corner of Fillmore and Haight

SF Weekly

Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Utility Boxes

In front of 79 Clayton
Northwest corner Grove and Webster
Southwest corner Steiner & Waller
Northeast corner Oak & Scott

Garbage Cans

Northeast corner of Haight & Fillmore
Northeast corner of Webster & Grove
Northwest corner of Buchanan and Haight

Mailboxes

Northeast corner Fillmore & Haight

Emergency Boxes

Northeast corner Oak & Fillmore
Northeast corner Fillmore & Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

295 Buchanan	478 Haight
120 Webster	546 Haight
811 Oak	999 Haight
1689 Fulton	1220 Haight
900 Oak	160 Pierce
815 Oak	400 Haight
799 Haight	208 Haight
1106 Fell	1174 Fell
1100 Fell	1213 Fell
300 Buchanan	1566 Haight
1589 Fulton	1352 Haight
999 Oak	1301 Haight
250 Scott	
428 Haight	

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Metal Pole

In front of Fulton
Southeast corner Ashbury and Haight

In front of 926 Oak

Wood Poles

Southeast corner of Lassuant & Steiner
Northeast corner of Steiner and Waller

Bus Shelters

Southwest corner Broderick & Hayes

From: Supervisor Chiu

To: City Attorney

Requesting/Inquiring: Requesting for legislation to be drafted amending section 14B of the Administrative code to:

- 1) Require, rather than permit, the director of the Human Rights Commission to set aside certain contracts worth \$250,000 or less to be awarded to Micro-Local Business Enterprises.
- 2) Require that the director of HRC report to the Board of Supervisors within 60 days of final approval of legislation on the number and value of contracts set aside of Micro LBEs.
- 3) Streamline the contracting process for contracts of all dollar values to provide that, where prescribed LBE participation goal is met, the requirement for "good faith efforts" of proof of outreach to LBEs will be waived.

From: Supervisor Maxwell

To: General Manager, SFPUC

Requesting/Inquiring: Inquiring as to the specifics of CAL-ISO's local capacity requirements and the financial obligations that San Francisco may owe under the program.

In Memoriams

Joseph Zatin – Supervisor Dufty

Dorothy Ruth Christiani – Supervisor Dufty

Ngar Chun Kuang Yee – Supervisor Mar

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tel. No. 554-5184
TDD No. 554-5227

Legislation Introduced
Including All Off-Calendar Items
March 17, 2009

OFF-AGENDA LEGISLATION

GOVERNMENT
DOCUMENTS DEPT

MAR 20 2009

Introduced by Supervisors or Mayor

Ordinances

SAN FRANCISCO
PUBLIC LIBRARY

090318 [Planning Code-Landmark Designation of 2055 Union Street (Metro Theater)]

Ordinance designating 2055 Union Street (Metro Theater), Assessor's Block No. 0541, Lot No. 018, as a Landmark under Article 10 of the San Francisco Planning Code; and adopting General Plan, Planning Code 101.1(b) and environmental findings. Supervisor Alioto-Pier presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

090319 [Zoning - Providing for a Five Feet Special Height Exception for Active Ground Floor Uses in the NC-2 and NC-3 Designated Parcels Along Randolph and Broad Streets, from 19th Avenue to San Jose Avenue]

Ordinance amending the San Francisco Planning Code by amending Section 263.20 to provide for a special height exception for ground floor uses in the NC-2 and NC-3 designated parcels along Randolph and Broad Streets, from 19th Avenue to San Jose Avenue; amending Sections 711.1 and 712.1, to refer to this special height exception; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. Supervisor Avalos presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090320 [Local Business Enterprise and Non-Discrimination in Contracting Ordinance]

Ordinance amending the San Francisco Administrative Code by amending Sections 14B.3, 14B.7, 14B.8, adding a new Section 14B.9, and renumbering Sections 14B.10, 14B.11, 14B.12, 14B.13, 14B.14, 14B.15, 14B.16, 14B.17, 14B.18, 14B.19 to (1) require departments to set aside contracts worth \$400,000 or less for the Micro-Local Business Enterprise Set Aside Program; (2) create a pilot Graduated Local Business Enterprise program that will enable graduated firms to receive a 5% bid discount; and (3) allow bidders and proposers the flexibility of meeting the participation goal by either achieving adequate good faith efforts or by meeting and/or exceeding the participation goal based on the availability of MBEs, WBEs, and OBEs. Supervisor Chiu presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090321 [Massage Services in South of Market Residential/Service Mixed Use District]

Ordinance amending the Planning Code by amending Section 803.4, Section 815, and Table 815 to allow a business operating as a full-service spa to provide massage services with a conditional use authorization; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. Supervisor Duffy presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

- 090327 [First Source Hiring Program - expand definitions of "entry level position" and "economically disadvantaged individual"]**
Ordinance amending section 83.4 of the San Francisco Administrative Code by expanding the definitions of "economically disadvantaged individual" and "entry level position." Supervisor Mirkarimi presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 090328 [Eligibility Criteria for Community Living Fund]**
Ordinance amending the San Francisco Administrative Code by amending Section 10.100-12, to establish a pilot program using the Elder Economic Security Index Fund as a factor for determining eligibility for the Community Living Fund. Supervisor Mirkarimi presented. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 090329 [Recreation and Park Department--Sharp Park]**
Ordinance making environmental findings and amending San Francisco Park Code Article 3 by adding Section 3.20, to require the Recreation and Park Department to develop a plan, schedule and budget for restoring Sharp Park habitat for the California red-legged frog and the San Francisco garter snake in conformance with the requirements of the Endangered Species Act, and transferring Sharp Park to, or developing a joint management agreement with, the Golden Gate National Recreation Area. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 090332 [Public Employment - San Francisco Employees' Retirement System]**
Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance, FY 2008-2009) to reflect the addition of one position: 0965 Department Head V (FTE 0.25) and the deletion of one position: 0964 Department Head IV (FTE 0.25) at the San Francisco Employees' Retirement System. Mayor, Supervisor Elsbernd presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090336 [Appropriating \$4,385,681 of revenue and General Fund Reserve for the November 2008 and May 2009 elections in the Department of Elections for Fiscal Year 2008-2009]**
Ordinance appropriating \$3,181,333 of State mandated cost reimbursement revenue, \$79,597 of county candidate filing fee revenue, and \$1,124,751 of General Fund Reserve, for a total appropriation of \$4,385,681, for costs associated with the November 2008 General Election and May 2009 Special Election in the Department of Elections for Fiscal Year 2008-2009. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

- 090257 [Commending Mary Red]**
Resolution commending Mary Red on the occasion of her retirement from the Office of the Clerk of the Board of Supervisors after 35 years of service to the City and County of San Francisco. (Clerk of the Board) Supervisors Duffy, Chiu, Maxwell, Daly, Alioto-Pier, Elsbernd, Mirkarimi, Chu, Campos, Mar, Avalos presented. ADOPTED.
- 090305 [Honoring Gene Marie O'Connell's 32 years of service and the contributions she has made to the City and County of San Francisco]**
Resolution honoring Gene Marie O'Connell's 32 years of service and the contributions she has made to the City and County of San Francisco. Supervisors Duffy, Elsbernd, Avalos, Chiu, Maxwell, Mirkarimi, Chu, Campos, Mar presented. ADOPTED.
- 090322 [Accept and expend grant - Funding the Healthy San Francisco program evaluation]**
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$250,000 from the California Endowment to fund the Healthy San Francisco program evaluation; for the period of January 1, 2009 through July 31, 2010. Supervisor Duffy presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 090323 [Approval of Software License and Software Maintenance contracts between the Department of Public Health and Philips Healthcare]**
Resolution authorizing the Department of Public Health to enter into a Software License and Software Maintenance contract with Philips Healthcare. Supervisor Duffy presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 090324 [Accept-Expend U.S. Transportation Security Administration Grant - \$15,800,000]**
Draft resolution authorizing the Airport to accept and expend a grant in the amount not-to-exceed Fifteen Million Eight Hundred Thousand Dollars (\$15,800,000) from the Transportation Security Administration for the Terminal 2 In-Line Explosives Detection System Matrix. Supervisor Elsbernd presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090325 [Street Name Change to Willie L. Brown, Jr. Boulevard]**
Resolution initiating the process to change the name of Third Street to Willie L. Brown, Jr. Boulevard in recognition of Willie L. Brown, Jr.'s many contributions to San Francisco and the State of California. Mayor, Supervisors Maxwell, Duffy, Elsbernd, Chu, Alioto-Pier presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 090326 [Accept and Expend DWR Grant Funds - SFPUC - \$517,500]**
Resolution authorizing the San Francisco Public Utilities Commission to retroactively accept and expend a California Department of Water Resources Grant in the amount of \$517,500. Supervisor Maxwell presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 090330 [Issuance and Sale of Revenue Bonds - Westmont College - \$122,500,000]**
Resolution approving the issuance and sale of revenue bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed \$122,500,000 to finance educational facilities owned and operated by the Westmont College. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090331 [Accept-Expend Private Grant - Back on Track Program - \$111,998]**
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$111,998 through the San Francisco Foundation, for a program entitled "Back on Track Re-entry Program" for fiscal year 2008-2009 and 2009-2010. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 090337 [Library Fee Amnesty Program]**
Resolution authorizing the Library Commission to establish a fee amnesty program for overdue Library materials to take place during a two-week period in May 2009, pursuant to Section 8.21-3 of the San Francisco Administrative Code. Mayor, Supervisor Chiu presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090338 [International Museum of Women]**
Resolution urging the City and County of San Francisco to aid the International Museum of Women in their efforts to secure a permanent physical location in San Francisco to display their exhibitions and to educate and enrich those who visit. Supervisors Alioto-Pier, Chu, Maxwell, Duffy, Mar presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090339 [Timothy Pflueger Day - March 22, 2009]**
Resolution proclaiming March 22, 2009 to be Timothy Pflueger Day in San Francisco. Supervisor Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090341 [Celebrating March 2009 as American Red Cross Month]**
Resolution celebrating March 2009 as American Red Cross Month. Supervisor Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090342 [Recognizing freshwater as a human right and the importance of access to safe drinking water for all]**
Resolution recognizing freshwater as a human right and the importance of access to safe drinking water for all. Supervisor Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090343 [Honoring Sandee Blechman for her thirteen years of dedicated service]**
Resolution honoring Sandee Blechman for her thirteen years of dedicated service to the Jewish Community Center of San Francisco. Supervisor Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090344 [Apply for Caltrans Transportation Planning Grant]

Resolution authorizing the San Francisco Planning Department to apply for a planning grant from the California Department of Transportation (Caltrans) for the purpose of conducting a community design process for Cesar Chavez Street. Supervisors Maxwell, Campos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090345 [Accept-Expend Private Grant - Arts Commission - \$5,000]

Resolution authorizing the Arts Commission of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$5,000 from the Cynthia Woods Mitchell Fund for Historic Interiors (a fund of the National Trust for Historic Preservation) for the Bayview Opera House Renovation and Restoration Project. Supervisor Maxwell presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090346 [Celebrating the Persian New Year holiday of Nowruz and urging San Francisco's representatives in Congress to co-sponsor Congressperson Michael Honda's Nowruz resolution]

Resolution celebrating the Persian New Year holiday of Nowruz and urging San Francisco's representatives in Congress to co-sponsor Congressperson Michael Honda's Nowruz resolution. Supervisors Mirkarimi, Maxwell, Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090347 [Commending restaurants that have stopped serving foie gras]

Resolution commending restaurants that have removed foie gras from their menus. Supervisor Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

090253 [Student emergency response volunteer program]

Hearing on the student emergency response volunteer program. Supervisor Elsbernd presented. RECEIVED AND ASSIGNED to City and School District Select Committee.

090306 [Potential impact of budget cuts on programs that serve homeless]

Hearing to discuss the potential impact of budget cuts on programs that serve homeless and formerly homeless adults and families including supportive housing, shelters, drop-in centers, employment programs and other social services. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090307 [Department of Public Works February 20, 2009 departmental budget submissions to the Mayor's Office on proposed midyear reductions and layoffs]

Hearing to consider the Department of Public Works February 20, 2009 departmental budget submissions to the Mayor's Office, proposed midyear reductions and layoffs, major changes to departmental budgets including plans for consolidation, new initiatives, proposed layoffs and service cuts, impacts to non-profit service delivery, fee increases and other options for increasing revenues. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090308 [City's timeline and process to develop the City and County of San Francisco 5-Year Consolidated Plan]

Hearing on the City's timeline and process to develop the City and County of San Francisco 5-Year Consolidated Plan (Con Plan) needed to receive funding from Housing & Urban Development (HUD). Supervisor Avalos presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

090309 [Children's Fund and Children's Baseline]

Hearing on the Children's Fund and Children's Baseline including a report from the Controller and major departments that administer and manage programs and services funded by the Children's Baseline. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090310 [Controller's Budget Improvement Project]

Hearing on Controller's Budget Improvement Project. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090311 [Update on the City's plan to utilize economic stimulus funds from the American Recovery and Reinvestment Act of 2009]

Hearing to consider update on the City's plan, preparations, and strategies to utilize economic stimulus funds from the American Recovery and Reinvestment Act of 2009 and departments' and the Mayor's proposals on how to utilize incoming investments. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090312 [Use of recreation areas in San Francisco]

Hearing on coordination efforts between the City's Recreation and Parks Department and the San Francisco Unified School District (SFUSD) for the purpose of maximizing the use of recreation areas in San Francisco. Supervisor Campos presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090313 [San Francisco's public safety conditions on citywide crime levels]

Hearing on San Francisco's public safety conditions, including a discussion of citywide crime levels and crime levels by police district station and/or neighborhood. The hearing shall include a presentation from the Mayor's Office of Criminal Justice and/or the San Francisco Police Department, which shall provide all information relevant to the discussion. The information provided shall include, without limitation: (1) update on crime statistics citywide and broken down by police district station and/or neighborhood; (2) data and plans on the progress of crime fighting strategies and crime prevention programs; (3) reports on arrests, charges, and prosecutions made; and (4) any other relevant information. To the extent possible, data shall be broken down by ethnicity, gender, age, or any other relevant category. Supervisor Campos presented. RECEIVED AND ASSIGNED to Public Safety Committee.

090314 [San Francisco Police Department's (SFPD) strategies for implementing various reports]

Hearing on the San Francisco Police Department's (SFPD) strategies for implementing and addressing the recommendations issued in various reports, including, without limitation, the Police Executive Research Forum's (PERF) Organizational Assessment of SFPD; Dr. Lorie Fridell's Fair and Impartial Policing report; the Public Safety Strategies Group's District Station Boundaries Analysis; and the report by the Community Policing Advisory Committee. Supervisor Campos presented. RECEIVED AND ASSIGNED to Public Safety Committee.

090315 [SF Municipal Transportation Agency (MTA) work orders]

Hearing on all San Francisco Municipal Transportation Agency (MTA) work orders since fiscal year 2006-2007 through fiscal year 2009-2010. Supervisor Duffy presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090316 [Committee of the Whole - Hearing on the Board of Supervisors' roles and responsibilities during a City Emergency]

Hearing on the roles and responsibilities of the Board of Supervisors during a City Emergency. Supervisors Maxwell, Chiu presented. ASSIGNED to Board of Supervisors.

090317 [Bike Plan Environmental Impact Report and Schedule for Plan Adoption]

Hearing on the update from City agencies on the progress of the Bike Plan's CEQA analysis. Supervisor Maxwell presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

090351 [Committee of the Whole - Hearing on the proposed motion amending the Rules of Order of the Board of Supervisors by amending Rule 5.1]

Hearing to discuss the proposed motion amending the Rules of Order of the Board of Supervisors by amending Rule 5.1 to create a subcommittee of the Budget and Finance Committee. Supervisor Avalos presented. ASSIGNED to Board of Supervisors.

Motions

090348 [Creating a subcommittee of the Budget and Finance Committee]

Motion amending the Rules of Order of the Board of Supervisors by amending Rule 5.1 to create a subcommittee of the Budget and Finance Committee. Supervisor Avalos presented. ASSIGNED to Board of Supervisors.

090349 [Board waiver of committee reference requirement and convening as a Committee of the Whole for purposes of considering an amendment to Board Rule 5.1, which would create a subcommittee of the Budget and Finance Committee.]

Motion suspending Rule 4.38 of the Rules of Order of the San Francisco Board of Supervisors to consider, without reference to committee, an amendment to Board Rule 5.1 which would create a subcommittee of the Budget and Finance Committee of the San Francisco Board of Supervisors; motion that the Board sit as a Committee of the Whole on March 24, 2009, for the purpose of considering the proposed amendment to Rule 5.1. Supervisors Avalos, Elsbernd presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090350 [Board of Supervisors to sit as a Committee of the Whole - March 31, 2009]

Motion that the Board convenes as a Committee of the Whole on March 31, 2009 to consider Board of Supervisors File Number 090316, a hearing to discuss the Board's roles and responsibilities in the event of a City emergency. Supervisors Maxwell, Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

090261 [Settlement of Lawsuit - Estenoz v. First American Title Insurance Company, et al.]

Ordinance authorizing settlement of the lawsuit entitled Estenoz v. First American Title Insurance Company, et al., filed on November 26, 2007 by Ernesto Estenoz, Administrator With Will Annexed of the Estate of Guillermo Crosbie-Grimaldo, aka G. Crosbie-Grimaldo, aka Guillermo Crosbie, deceased, against the City and County of San Francisco, in San Francisco Superior Court Case No.CGC 07-469460 ; settlement in exchange for plaintiff's waiver of the right to appeal the order granting summary judgment and judgment entered thereon, and on such further terms set forth in the Settlement Agreement dated as of January 31, 2009, contained in Board of Supervisors File No. 090261, or as shall be negotiated and approved by the City Attorney's Office. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

090251 [Approve SFPUC Sunol Valley Construction Management Contract]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Water System Improvement Program-funded Professional Service Agreement No. CS-915R, Sunol Valley Regional Construction Management Services, with CH2MHill, for an amount not to exceed \$16,000,000 with a term of up to 60 months, pursuant to San Francisco Charter Section 9.118. (Public Utilities Commission) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

090252 [Street Encroachment at 19th Avenue and Crespi Drive]

Resolution granting revocable permission to Parkmerced Investors Properties LLC, to occupy portions of the public right-of-way to construct, realign, and maintain an existing paved curb islands to improve pedestrian accessibility and vehicular traffic circulation and safety, resurface portions of Crespi Drive with new Bomanite stamped concrete paving and install three (3) decorative columns at the entry way to Crespi Drive public right-of-way, between 19th Avenue and Serrano Drive, to enhance the Property at 3711 19th Avenue (Assessor's Blocks 7315, 7316, 7320), conditioned upon the payment of an annual assessment fee; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department) . RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

090262 [Lease of Real Property at 520 Jones Street]

Resolution authorizing and approving the lease by and between the City and County of San Francisco, for the Department of Public Health, as Tenant, and Pacific Bay Inn, Inc., as Landlord, for the Pacific Bay Inn located at 520 Jones Street, San Francisco. (Real Estate Department) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

090263 [Approval of an historical property contract for 166-178 Townsend Street]

Resolution under Chapter 71 of the San Francisco Administrative Code, approving an historical property contract between 178 Townsend Properties LLC, the owner of 166-178 Townsend Street, and the City and County of San Francisco; authorizing the Director of Planning and the Assessor to execute the historical property contract. (Planning Department) .
RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Clerk to Act – March 17, 2009

Board Minutes for January 27, 2009, February 3, 2009, and February 10, 2009 approved.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes

Northeast corner Post & Steiner

Southwest corner Cole & Haight

Southwest corner Shrader & Haight

Southwest corner Steiner & Haight

Bus Shelters

Southwest corner Pierce & Hayes

Northeast corner McAllister and Laguna

Southwest corner Hayes & Fillmore

All bus shelters on Haight and Fillmore need power washing and graffiti

Southwest corner Buchanan & Haight

Southeast corner Buena Vista East

Southwest corner Buena Vista West

Fire Hydrant

Northwest corner Haight & Scott

Emergency Boxes

Southeast corner Scott & Oak

Southeast corner Haight & Steiner

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles

In front of 355 Fulton

Northeast corner Eddy & Webster

Southeast corner Fulton & Fell

Northeast corner Lyon & Scott

Southeast corner Stanyan & Hayes

Northeast corner Fell & Webster
In front of 478 Haight
Southeast Clayton & Hayes

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

300 Buchanan	799 Haight
1421 Eddy	905 Haight
173 Fillmore	1001 Haight
339 Fillmore	1020 Haight
500 Fillmore	1052 Haight
627 Fillmore	1192 Haight
733 Fillmore	1299 Haight
867 Fillmore	1301 Haight
522 Haight	1560 Haight
525 Haight	1569 Haight
609 Haight	1829 Haight
631 Haight	255 Scott
668 Stanyan	

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans

Northeast corner Buchanan & Haight
Northwest corner Haight & Steiner
Southeast corner Buena Vista West

Mailboxes

Southeast corner Post & Steiner

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore & Post
Southwest corner of Divisadero & Sutter
9th Avenue & Judah (near bus stops)
7th Avenue & Irving (near bus stops)

Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore
Irving & 9th Avenue
Irving & 7th Avenue
Southwest corner of Haight & Clayton
Southeast corner of Haight & Masonic

Examiner

Northwest corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore

SF Daily

Northwest corner of Hayes & Gough

City Star

Northwest corner of Hayes & Gough
Southeast corner of Fillmore & Haight

SF Weekly

Southeast corner of Masonic & Haight and Southeast corner of Haight & Fillmore

From: Supervisor Avalos

To: Director, Recreation and Park Department

Requesting/Inquiring: Please provide a line item summary of the Recreation and Parks Department accounting and use of the \$13.9 million in Children's Baseline funding.

Additionally, please provide the following summary of children's programming:

For the last three fiscal years, what have been the trends regarding funding level and children/youth served for each of the major programs below:

Tiny tots?

Latchkey (both school year and summer)?

Day camps?

Other Afterschool programs?

For the last three fiscal years, what have been the trends for revenues generated from fees for these programs?

For the last three fiscal years, what have been the trends for scholarships provided for these programs?

From: Supervisor Avalos

To: Director, Department of Building Inspection

Requesting/Inquiring: Requesting a report from DBI on the baseline of services they provide to the Mission Commercial Corridor, including, but not limited to inspections and enforcement of blight, clutter, and abandoned and vacant storefronts and buildings. Please specify which services are permanent and which are considered temporary. This inquiry is in consideration of the pending approval of the Mission Commercial Corridor Community Benefits District to quantify the existing level of services so that the CBD can supplement the current level services and not replace them.

From: Supervisor Avalos

To: Director, MTA

Requesting/Inquiring: Requesting a report from MTA on the baseline of services they provide to the Mission Commercial Corridor, including, but not limited to cleaning and maintenance of bus shelters and surrounding areas and traffic enforcement. Please specify which services are permanent and which are considered temporary. This inquiry is in consideration of the pending approval of the Mission Commercial Corridor Community Benefits District to quantify the existing level of services so that the CBD can supplement the current level services and not replace them.

From: Supervisor Avalos

To: Director, Department of Public Works

Requesting/Inquiring: Requesting a report from DPW on the baseline of services they provide to the Mission Commercial Corridor, including, but limited to pressure washing of sidewalks, trees and landscape maintenance, graffiti abatement, trash pickup, and sidewalk sweeping. Please specify which services are permanent and which are considered temporary. This inquiry is in consideration of the pending approval of the Mission Commercial Corridor Community Benefits District to quantify the existing level of services so that the CBD can supplement the current services and not replace them.

From: Supervisor Chiu

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft an ordinance – Standards for and Regulation of Vacant Buildings:

102A.3 Vacant/Abandoned Building Inspection & Registrations

If a residential building is entirely vacant for more than 90 days, or a commercial/mixed-use building is entirely vacant for more than 1 years, the owner of record or agent designated on the Assessor's Records must register the building as vacant property with the Department of Building Inspection.

1. Annual Registration Fee. A \$625.00 annual registration fee is required.

2. Liability insurance. The owner of record is required to maintain and provide proof of Liability Insurance coverage in the amount of \$300,000 minimum for residential structures and \$1,000,000 for commercial or mixed use structures.
3. Sign Postage. The property owner is required to post a sign no smaller than 8 ½ inches by 11 inches that is protected from the weather in a conspicuous location at the front of the building delineating current information containing the name, address, and phone number of the owner of record or authorized agent. If a notice of default or foreclosure has been recorded for the subject property the lender information must also be identified.
4. Maintenance of Vacant Property, Exterior. The property owner shall keep the premises clean by maintaining vegetation; removing weeds, debris, garbage, graffiti, maintain foundations, roofs, chimneys, flues, gutters, downspouts, scuppers, flashing, exterior stairs and decks.
5. Maintenance of Vacant Property, Interior. The property owner shall keep the building interior free from garbage, debris, rodent, pest or insect infestation, and plumbing or roof leaks.
6. Vacant Building Security, Building doors, windows, and openings may be secured with plywood panels for the first year. After the first year the plywood panels must be replaced with steel security panels or secured doors and windows and a commercially services 24-hour burglar alarm system approved by the building official.

Registration fee support:

\$625.00 = 2.5 hours of inspector time @ \$170.00 (\$425.00) plus 2 hours administrative (clerical time) @ \$104.00 (\$208.00) = \$625.00 in round numbers.

In Memoriams

Lepeti Tuitele Fazio – Entire Board

Michael Frederick Quirie – Supervisor Elsbernd

Connie Evia – Supervisor Chiu

Percy L. Corke – Supervisor Avalos

Richard Aoki – Supervisors Mar, Mirkarimi, Maxwell

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tel. No. 554-5184
TDD No. 554-5227

Legislation Introduced
Including All Off-Calendar Items
March 24, 2009

OFF-AGENDA LEGISLATION

GOVERNMENT
DOCUMENTS DEPT

MAR 27 2009

SAN FRANCISCO
PUBLIC LIBRARY

Introduced by Supervisors or Mayor

Ordinances

090367 [Planning Code Amendment - Philanthropic Administrative Service Use; Zoning Map Amendment - 2503 Clay Street]

Ordinance amending the San Francisco Planning Code by adding Section 790.107 to define a Philanthropic Administrative Service Use and by adding 718.85 to the Zoning Control Table in Section 718 to authorize a Philanthropic Administrative Service Use as a permitted use in the Upper Fillmore Street Neighborhood Commercial District; amending Sheet ZN02 of the Zoning Maps of the City and County of San Francisco to change the zoning for Assessor's Block 0630, Lot 032 (2503 Clay Street) from RH-2 to NCD; adopting findings, including environmental findings, Section 301 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. Supervisor Alioto-Pier presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090368 [Waiver of Candle Permit Fee in Support of "Earth Hour San Francisco 2009"]

Ordinance waiving candle permit fee for entities who apply for a permit for a one-time basis in order to participate in "Earth Hour San Francisco 2009" on March 28, 2009 and use candles pre-approved by the San Francisco Fire Department. Supervisor Alioto-Pier presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090369 [Office Building After-Hours Lighting]

Ordinance amending the San Francisco Environment Code by adding a new Chapter 9 to conserve electricity by prohibiting commercial buildings from lighting unoccupied interior spaces after business hours; and to make environmental findings. Supervisor Chiu presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090227 [Building Code - Requiring Amended Certificates of Final Completion and Occupancy for Changes of Occupancy of Existing Buildings]

Ordinance amending the San Francisco Building Code by amending Section 109A to provide that an Amended Certificate of Final Completion and Occupancy shall be issued for an existing building where there is an increase in the number of legal dwelling units resulting in a change of occupancy, and to require the Amended Certificate of Final Completion and Occupancy to include a reference to the date of the first certificate of occupancy and any subsequent certificates of occupancy that have been issued for the building. Supervisor Mirkarimi presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

Resolutions

- 090359 [Commending officers of the Oakland Police Department who were killed in the line of duty]**
Resolution honoring the public service of Oakland Police Department Officers John Hege, Mark Dunakin, Daniel Sakai and Ervin Romans on the occasion of their sacrifice in the line of duty. Supervisors Duffy, Chiu, Alioto-Pier, Avalos, Campos, Chu, Daly, Elsbernd, Mar, Maxwell, Mirkarimi presented. ADOPTED.
- 090370 [Amending PG&E Energy Conservation Revenue Contract]**
Resolution authorizing the Department of the Environment to amend a revenue contract with Pacific Gas and Electric Company ("PG&E") to add up to \$ 3,700,000 and to further amend such contract up to an additional \$3,000,000 to continue the Partnership Program between PG&E and the City and County of San Francisco for the Energy Use and Demand Reduction through Energy Efficiency Program. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090371 [Rebuild of St. Luke's Hospital - Evaluation of temporary hospital structure]**
Resolution urging the California Pacific Medical Center to evaluate the concept of building a temporary hospital while constructing the rebuild of St. Luke's Hospital. Supervisors Alioto-Pier, Maxwell presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090372 [Rebuild of St. Luke's Hospital]**
Resolution urging the Planning Department and the Historic Preservation Commission to evaluate the historic integrity of the 1912 building on the St. Luke's campus and to determine whether or not the 1912 building might be a historic resource under the California Environmental Quality Act. Supervisors Alioto-Pier, Maxwell presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090373 [Supporting Assembly Bill 700, the Creative Industries and Community Revitalization Act]**
Resolution supporting Assembly Bill 700, the Creative Industries and Community Revitalization Act; supporting creation of the Creative Industries and Community Economic Revitalization Fund; and urging passage of Assembly Bill 700 in the current legislative session. Supervisors Avalos, Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090374 [National Start! Walking Day - April 8, 2009]**
Resolution proclaiming April 8, 2009, as "National Start! Walking Day" in San Francisco. Supervisor Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090375 [Supporting Assembly Bill 1000, paid sick day legislation]**
Resolution declaring support of Assembly Bill 1000 (Ma) that would provide California workers with earned paid sick days. Supervisor Daly presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090376 [Accept and Expend Grant - Juvenile Probation Department - \$25,000]**
Resolution authorizing the Juvenile Probation Department to accept and expend a grant in the amount of \$25,000 from the Annie E. Casey Foundation for continuing support of the juvenile justice reform activities at the Juvenile Probation Department. Supervisor Elsbernd presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090377 [Urging the Board of Supervisors to endorse and support the event "SF Youth Unity", a youth environmental summit and green block party]**
Resolution urging the Board of Supervisors to endorse and support the event "SF Youth Unity", a youth environmental summit and green block party. Supervisor Elsbernd presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090378 [Supporting Senate Bill 675, the Clean Technology and Renewable Energy Job Training, Career Education and Dropout Prevention Act]**
Resolution supporting Senate Bill 675, the Clean Technology and Renewable Energy Job Training, Career Education and Dropout Prevention Act. Supervisors Mar, Maxwell presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090380 [Accept and Expend Grant - American Recovery and Reinvestment Act of 2009 (ARRA)]

Resolution authorizing the filing of an application for federal American Recovery and Reinvestment Act of 2009 (ARRA) funding, stating the assurance to complete the project, and authorizing the Director of Public Works to accept and expend federal grant funds Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Request for Hearings

090360 [Rebuild of St. Luke's Hospital - Evaluation of Temporary Hospital Structure]

Hearing on the rebuild of St. Luke's Hospital and evaluation of temporary hospital structure. The hearing will explore the feasibility of a temporary hospital structure during the rebuild of St. Luke's Hospital. The hearing will call upon the California Pacific Medical Center to present its findings on the cost effectiveness of building a temporary hospital while keeping in mind the three core values adopted by the Blue Ribbon Panel to (1) maintain continuity of service; (2) to ensure low impact on the residents of the neighborhood and (3) to consider the "life cycle planning cost" which considers construction time, new care models, technology and flexibility. Supervisors Alioto-Pier, Maxwell presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090361 [Joint hearing of the Public Safety Committee of the Board of Supervisors and the Police Commission - San Francisco's City of Refuge Ordinance]

Joint hearing of the Public Safety Committee and the San Francisco Police Commission on the San Francisco Police Department's (SFPD) implementation of and compliance with San Francisco's City of Refuge Ordinance. The hearing shall include a presentation and discussion of SFPD's interaction and coordination with the Department of Juvenile Probation. The hearing shall include a presentation by or discussion with the Department of Juvenile Probation. Supervisor Campos presented. RECEIVED AND ASSIGNED to Public Safety Committee.

090362 [S.F. Police Department's procedures with respect to rallies or other First Amendment activities]

Hearing on the protocols, guidelines, and procedures that the San Francisco Police Department follows with respect to rallies, protests, demonstrations, or other First Amendment activities. Supervisors Campos, Mirkarimi presented. RECEIVED AND ASSIGNED to Public Safety Committee.

090363 [Public safety impact of budget cuts proposed by various departments]

Hearing on the public safety impact of budget cuts proposed by various departments, including the Juvenile Probation Department, the Department of Children, Youth and their Families, and the Department of Public Health. Supervisor Campos presented. RECEIVED AND ASSIGNED to Public Safety Committee.

090364 [Local Business Enterprises]

Hearing for the Human Rights Commission to present to the Board of Supervisors current data on the number, dollar value, and type of contracts awarded to Local Business Enterprises as required by Administrative Code Section 14B.15. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

090365 [Programs available to homeless children and youth enrolled in SFUSD]

Hearing to review programs for and services available to homeless children and youth enrolled in San Francisco Unified School District (SFUSD). Hearing will address current collaboration between the city, school district, and community partners to provide services for these students and their families, and recommend ways to better coordinate in the future. Hearing will also address homeless children and youth living in San Francisco who are not enrolled in school. Supervisor Elsbernd presented. RECEIVED AND ASSIGNED to City and School District Select Committee.

090366 [Climate Action Plan]

Hearing before the Government Audit and Oversight Committee to receive and review the report prepared pursuant to the City's Climate Action Plan. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Motion

Motion rescheduling the April 7, 2009 regular meeting of the Board of Supervisors to begin at 10:00 am in the Board Chamber in City Hall on that day. Supervisor Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED RESOLUTIONS

090254 [Approving office supplies contract over \$10 million with Office Depot]

Resolution approving the award of the City's new contract for office supplies to Office Depot (Contractor) and approving the contract's not-to-exceed amount of \$17.5 million, pursuant to San Francisco Charter Section 9.118(b). (Office of Contract Administration) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

090256 [Agreement to Purchase an Access and Communication Easement in Tuolumne County]

Resolution approving and authorizing an agreement for the purchase of a perpetual, nonexclusive easement for access and installation of communications equipment in Tuolumne County (the "Easement"), for a purchase price of \$9,600, to facilitate and implement the project to upgrade the Hetch Hetchy Communications System; adopting environmental findings and findings under San Francisco Planning Code Section 101.1; and authorizing the Director of Property and/or the General Manager of the San Francisco Public Utilities Commission to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – March 24, 2009

Requests Granted

From: Supervisor Chiu

To: City Attorney

Requesting/Inquiring: Requesting that the City Attorney prepare a Motion that the Board of Supervisors convene in closed session on March 31, 2009 with the Mayor's Office and the Department of Human Resources concerning negotiations with Labor Unions representing City Workers.

This closed session is permitted by Government Code Section 54957.6 and San Francisco Administrative Code Section 67.10(e).

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore and Post

Southwest corner of Divisadero and Sutter

9th Avenue and Judah (near bus stops)

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore

Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Irving and 9th Avenue

Irving and 7th Avenue

Southwest corner of Haight and Clayton

Southeast corner of Haight and Masonic

Examiner

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

SF Daily

Northwest corner of Hayes and Gough

City Star

Northwest corner of Hayes and Gough

Southeast corner of Fillmore and Haight

SF Weekly

Southeast corner of Masonic and Haight

Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations:

On Divisadero between Geary and Eddy

In front of 1472 McAllister

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans

Southwest corner Divisadero & McAllister

Southwest corner Divisadero & Geary

Mailboxes

Northeast corner Laguna & Fell

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property at the following locations:

Utility Boxes

Southwest Post & Scott

Northeast corner Post & Steiner

Northeast corner Baker & Turk

Southeast corner Scott & Fillmore

Southwest corner Broderick & Fulton

In front of 1589 Haight

Bus Shelters

Southwest corner Pierce & McAllister

Northwest corner Divisadero & Ellis

Northeast McAllister & Buchanan

Fillmore & Haight (all 4 bus stops)

Emergency Boxes

Southeast corner Page & Steiner
Northeast corner Divisadero & Page

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Pole

In front of 1576 McAllister
Northwest corner Steiner & Waller
Southeast corner Divisadero & Page
Northwest corner Fillmore & Haight (near bus shelter)

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

542 Haight
378 Fulton
999 Oak
598 Laguna (on the Linden Alley side)
1689 Fillmore
803 Fillmore
349 Fillmore
339 Fillmore
600 Page
601 Haight
500 Fillmore
573 Fillmore
279 Fillmore
926 Divisadero

In Memoriams

Buddy Summerfield – Entire Board
Brent Ching – Entire Board
Kristen Ching – Entire Board
Heyley Ching – Entire Board
Caleb Ching – Entire Board
Dr. Erin Jacobson – Entire Board
Amy Jacobson – Entire Board
Taylor Jacobson – Entire Board
Ava Jacobson – Entire Board

Jude Jacobson – Entire Board
Mike Pellen – Entire Board
Dr. Vanessa Pullen – Entire Board
Sydney Pullen – Entire Board
Christopher Pullen – Entire Board
Sgt. Daniel Sakai – Entire Board
Officer John Hege – Entire Board
Sgt. Mark Dunakin – Entire Board
Sgt. Ervin Romans – Entire Board
John Kanaley – Supervisors Elsbernd and Chu

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tel. No. 554-5184
TDD No. 554-5227

Legislation Introduced
Including All Off-Calendar Items
March 31, 2009

OFF-AGENDA LEGISLATION

GOVERNMENT
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Introduced by Supervisors or Mayor

Ordinances

090402 [Zoning - New Controls for Massage Establishments]

Ordinance amending Planning Code Sections 790.60, 890.60 and 218.1 to restrict permitted accessory massage uses and to make all other massage establishments, except chair massage in plain view of the public, subject to a conditional use permit; amending Planning Code Section 303 to list additional criteria for the Planning Commission to consider when analyzing conditional use applications for massage establishments; amending the tables at Sections 218.1, 714.1, 715.1, 810.1, 811.1, and 812.1, to change massage establishments from a permitted use to a conditional use in the PDR 1, or Light Industrial Buffer, and PDR 2, or Production, Distribution, and Repair Districts, and in the Broadway Neighborhood Commercial District, the Castro Neighborhood Commercial District, and the Chinatown Mixed Use Districts; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. Mayor, Supervisors Chu, Chiu presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090403 [Penalties for violation of Massage Practitioner Licensing and Regulation Ordinance]

Ordinance amending Health Code Sections 1918 and 1928 to change the hours of permitted operation for massage establishments and to revise the penalties for violating Health Code Sections 1900 et seq., adding Health Code Section 1928.1 to provide for payment of the costs of administrative and other proceedings, and adding Health Code Section 1928.2 to provide for criminal penalties. Mayor, Supervisor Chu presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090404 [Certificates of Participation for Street Improvements - \$42,000,000]

Ordinance authorizing the execution and delivery of Certificates of Participation in an aggregate principal amount not to exceed \$42,000,000 to finance the acquisition, construction, improvement and installation of certain street improvements; approving the form of a First Supplement to Trust Agreement between the City and County of San Francisco and the Trustee named therein (including certain indemnities contained therein); approving the form of a First Supplement to Project Lease between the City and the Trustee relating to the real property and improvements located at 375 Laguna Honda Boulevard; approving the form of an Official Notice of Sale and Notice of Intention to Sell for the Certificates of Participation, if sold by competitive sale; authorizing certain actions relating to the Certificates of Participation, if sold by negotiated sale; approving the form of an official statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of the Certificates of Participation; approving modifications to documents; and ratifying previous actions taken in connection therewith. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

090405 [Accept and Expend - Emergency Shelter Grants Program - \$979,908]

Resolution approving the 2009/10 Emergency Shelter Grant (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2009/10 Emergency Shelter Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$944,908 and to expend Reprogrammed Funds in the amount of \$35,000. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090406 [Accept and Expend - HOME Program - \$7,740,804]

Resolution approving the 2009/10 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2009/10 HOME Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$7,740,804. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090407 [Accept and Expend - Community Development Block Grant (CDBG) - \$21,801,829]

Resolution approving the 2009/10 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2009/10 Community Development Block Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$19,821,829 and to expend Program Income and Reprogrammed Funds in the amount of \$1,980,000. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090408 [Supporting the Clean Air for Children, Seniors, and Working Families Act]

Resolution urging the City and County of San Francisco to support Assembly Bill 622, the Clean Air for Children, Seniors, and Working Families Act. Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090409 [Child Care Provider Recognition Day - April 26, 2009]

Resolution declaring April 26, 2009, to be San Francisco Child Care Provider Recognition Day. Supervisor Avalos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090410 [Employee Free Choice Act]

Resolution affirming support for House Resolution 1409, the Employee Free Choice Act, and urging the United States Congress to pass the Employee Free Choice Act and protect and preserve, for America's workers, the freedom to choose for themselves whether and how to form a union to bargain for a better life. Supervisor Avalos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090411 [Mary Risley and Tante Marie Day - April 26, 2009]

Resolution proclaiming April 26, 2009, as "Mary Risley and Tante Marie Day" in San Francisco. Supervisor Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090412 [Repeal Defense of Marriage Act]

Resolution urging our California Congressional delegation to lead the fight to repeal the Federal "Defense of Marriage Act." Supervisors Chiu, Duffy, Campos, Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090413 [Donate Life Month - April]

Resolution supporting April as Donate Life Month and urging all San Franciscans to participate in the Donate Life California Donor Drive. Supervisor Chu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090414 [Commending Zürich Mayor-Elect Corine Mauch]

Resolution honoring Corine Mauch on her historic election as the first woman and openly gay Mayor of the City of Zürich, Switzerland. Supervisor Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090324 [Accept and Expend U.S. Transportation Security Administration Grant - \$15,800,000]

Resolution authorizing the Airport to retroactively negotiate and execute an Other Transaction Agreement from the Transportation Security Administration for the Terminal 2 In-Line Explosives Detection System Matrix in the amount not-to-exceed Fifteen Million Eight Hundred Thousand Dollars (\$15,800,000) and accept and expend federal funds. Supervisor Elsbernd presented. ASSIGNED to Budget and Finance Committee.

Requests for Hearings

090399 [School Crossing Guard Program]

Hearing on the school crossing guard program, the process to request and assign crossing guards, a breakdown of the distribution of crossing guards citywide, and the effect of pending budget cuts and layoffs on the program. Supervisor Avalos presented. RECEIVED AND ASSIGNED to City and School District Select Committee.

090400 [County Welfare Directors Association (CWDA) and California State Association of Counties (CSAC) Joint Report]

Hearing on CWDA and CSAC Joint Report: "Human Services in a Time of Economic Crisis - An Examination of California's Safety-Net Programs and Related Economic Benefits for Communities". Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090401 [Community Development Block Grant (CDBG) funding changes]

Hearing to discuss the changes in Community Development Block Grant (CDBG) funding and the effect on community based organizations that provide services and technical assistance to small businesses and entrepreneurs. Supervisor Mar presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motions

090416 [Closed Session - Existing Litigation - Fonseca v. Fong et al.]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation entitled Charles Fonseca v. Heather Fong, Louise Renne, Theresa Sparks, David Campos, Joe Alioto Veronese, Petra DeJesus, Yvonne Lee, and Dr. Joe Marshall, respondents, and San Francisco Police Department, real party in interest, San Francisco Superior Court No. CPF 07-507227; California Court of Appeal No. A120206, filed May 4, 2007.

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuit. Supervisors Alioto-Pier, Elsbernd presented. ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

090354 [Settlement of Lawsuit - State of California, Department of Alcohol and Drug Programs - \$604,354]

Ordinance authorizing settlement of the administrative action filed by the State of California, Department of Alcohol and Drug Programs against the City and County of San Francisco for \$604,354; the administrative action was initiated on March 20, 2008, in the California Office of Administrative Hearings, Case Nos. SACPA 02/03-38 and 03/04-38, OAH No. 2008070346 entitled In the Matter of the Audit of the City and County of San Francisco, Substance Abuse and Crime Prevention Act. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

090355 [Airport Commission's Declaration of Emergency Contract Pursuant to Sec. 6.60 of the San Francisco Administrative Code]

Resolution concurring with the Airport Commission's Declaration of Emergency in response to the boiler failures at the Airport and approving a contract between the Airport Commission and Ghiloti Brothers for the purchase of two new boilers. (Airport Commission) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

090356 [Agreement to Sell the Dolores Hotel Located at 35-37 Woodward Street]

Resolution approving and authorizing the execution and performance of an Agreement For Sale of Real Estate relating to the property commonly known as the Dolores Hotel and located at 35-37 Woodward Street; adopting findings that the sale is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property and the Director of the Mayor's Office of Housing to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – March 31, 2009

Board Minutes for February 24, 2009 and March 3, 2009 approved.

Requests Granted

From: Supervisor Chiu

To: Controller

Requesting/Inquiring: Requesting the Controller to conduct a cost benefit analysis of options the City is considering regarding the Data Center project.

From: Supervisor Dufty

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft an ordinance, similar to Administrative Code Sections 3.20 and 3.21, that would require that the city and, through the leadership of the Department of Technology, annually develop and adopt a 10-year Technology Investment Plan (TIP) for all.

This Plan would reflect all major technology investments by City Departments, such as the Justice Information Tracking System (JUSTIS), public safety information system, and the need for a new SFMTA Central Control Facility (CCF), as examples.

A Technology Planning Committee (TPC) should include the City Administrator, Director and Deputy Director of the Technology Department, the Controller, President of the Board of Supervisors, Mayor's Finance Director, among others. Each member of the TPC may designate a representative to serve as a voting member of the committee.

The Technology Investment Plan should incorporate all major planned investments to maintain, repair, and improve the condition of the City's Technology assets and infrastructure.

From: Supervisor Alioto-Pier

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to prepare a Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation entitled Charles Fonseca v. Heather Fong, et al., San Francisco Superior Court No. CPF 07-507227; California Court of Appeal No. A120206, filed 5/4/07 during the Board Meeting on 4/7/09.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Metal Pole

In front 850 Oak
Southeast corner Central & Haight
Northeast corner Frederick & Lincoln
Northeast corner Baker & Haight

Bus Shelters

Southwest corner Scott & Hayes
All four bus shelters on Haight & Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Utility Boxes

Northwest corner Divisadero & Oak
Southwest corner 7th Avenue & Lincoln

Garbage Cans

Northeast corner of 7th Avenue & Hugo

Mailboxes

Northeast corner Fillmore & Haight
Northeast corner of Hugo & 7th Avenue

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

130 Hugo
600 Irving
999 Oak
644 Cole
901 Haight
1301 Haight
1401 Haight
1584 Haight
448 Haight
706 Buchanan
799 Haight
1213 Fell

514 Haight
525 Haight
546 Haight
535 Haight
593 Haight
609 Haight
681 Haight

In Memoriams

Joseph Carl Dickens – Supervisor Dufty
Louise Weissman – Supervisor Dufty
John “Jack” Milano – Supervisor Dufty
Helen Logan Tuft – Supervisor Dufty
Idalia Cristina Hernandez-Rice – Supervisor Dufty
Eric Jermaine Culp – Supervisor Mar
Jonathan Palewicz – Supervisor Mar
Damija Walls – Supervisor Maxwell

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**Legislation Introduced
Including All Off-Calendar Items
April 7, 2009**

OFF-AGENDA LEGISLATION

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Ordinances

- 090418 [Waiver of fee for temporary farmers' market in Noe Valley from April 14, 2009, through September 29, 2009]**
Ordinance waiving the fees in San Francisco Business and Tax Regulations Code Sections 35 and 248 and in San Francisco Administrative Code Section 1.10-1 for a farmers' market to be held at 3950 24th Street from April 14, 2009, through September 29, 2009. Supervisor Dufty presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090419 [Increasing prize limit for charitable bingo games]**
Ordinance amending Section 3201 of the San Francisco Police Code to increase the maximum allowable prize for any charitable bingo game from \$250 to \$500, and to make nonsubstantive changes clarifying the applicability of requirements regarding the use of bingo proceeds. Supervisors Dufty, Avalos, Campos, Elsbernd presented. ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee.
- 090420 [India Basin Industrial Park, SUD Amendment]**
Ordinance amending the San Francisco Planning Code by amending Section 249.42 to exempt the India Basin Industrial Park Special Use District from minimum off-street parking requirements; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. Supervisor Maxwell presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 090421 [Administrative Code Revision to Allow Renewal of Contracts for Local Rent Supplement Program]**
Ordinance amending the Administrative Code by amending Chapter 24A "Administrative Structure Local Rent Supplement Program in the Office of the Mayor" by amending Section 24A.08 related to the definition of Qualified Tenant to delete an out-dated tenant eligibility requirement; and amending Section 24A.10 related to the Term of Contract to extend the term of Rent Supplement Contracts for 10 years beginning April 1, 2009. Mayor presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 090381 [Zoning Map Amendment - 2550 Mission Street]**
Ordinance amending the San Francisco Zoning Map by amending the height district designation for property located at 2550 Mission Street, Assessor's Block 3616, Lot 007, between 21st and 22nd Streets to 65-X; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. Supervisor Campos presented. SUBSTITUTED.

090329 [Recreation and Park Department - Sharp Park]

Ordinance amending San Francisco Park Code Article 3 by adding Section 3.20, to require the Recreation and Park Department to develop a plan, schedule and budget for restoring Sharp Park habitat for the California red-legged frog and the San Francisco garter snake in conformance with the requirements of the Endangered Species Act, and transferring Sharp Park to, or developing a joint management agreement with, the Golden Gate National Recreation Area and making environmental findings. Supervisor Mirkarimi presented. ASSIGNED to Government Audit and Oversight Committee.

081404 [Mandatory Recycling and Composting]

Ordinance amending the San Francisco Environment Code by adding Chapter 18, Sections 1801 through 1812, entitled "Mandatory Recycling and Composting Ordinance," amending the San Francisco Public Works Code by amending Section 173, and amending the San Francisco Health Code by amending Sections 291, 291.1, 291.2, 291.4, 291.7, 291.11, 291.12, 291.15, 291.17, and 293.1, and by repealing the current Section 291.16 and adding a new Section 291.16, all to: (1) require all persons located in San Francisco to separate recyclables, compostables and landfilled trash and participate in recycling and composting programs; (2) provide enforcement mechanisms and penalties for violations; (3) ensure that all properties subscribe to refuse collection service; and (4) authorize a Department of Public Health inspection fee of \$167 per hour; and making environmental findings and setting an operative date. Mayor presented. ASSIGNED to Land Use and Economic Development Committee.

Resolutions

090415 [Redmond Kernan Day]

Resolution declaring April 7, 2009, as "Redmond Kernan Day" in the City and County of San Francisco. Supervisors Alioto-Pier, Duffy presented. ADOPTED.

090424 [Approving the 2009 San Francisco Juvenile Justice Local Action Plan Update]

Resolution approving the 2009 San Francisco Juvenile Justice Local Action Plan which identifies the citywide programs and approaches that have been demonstrated to be effective in reducing violence, crime and delinquency amongst young adults ages 11 – 25 and includes recommendations for how funding for local violence prevention and intervention strategies will be allocated for the term of July 1, 2009 – June 30, 2010. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090425 [Condolences to the people of Italy and those affected by the L'Aquila earthquake]

Resolution extending condolences and greatest sympathy to the people of Italy and those affected by the L'Aquila earthquake. Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090426 [Commending Dwayne Kinner]

Resolution commending and thanking Dwayne Kinner on the occasion of the 20th Anniversary of the Workers' Children's Fund Softball Tournament and for his hard work towards and dedication to enriching the lives of San Francisco's foster children. Supervisor Avalos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090427 [Solidarity with the workers of Hyatt Fisherman's Wharf and HEI Le Meridien Hotel]

Resolution urging Hyatt Fisherman's Wharf and HEI Le Meridien Hotel to allow its workers to choose, free from delay and intimidation, whether to have a union through a card-check neutrality agreement. Supervisors Chiu, Avalos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090428 [Condemning the persecution and murders of Lesbian Gay Bisexual Transgender (LGBT) Iraqi Citizens]

Resolution calling on the U.S. Department of State to use all diplomatic channels to work with the Iraqi Government to stop the persecution of Iraqi Lesbian Gay Bisexual Transgender (LGBT) citizens and immediately stop the murders of Iraqi LGBT citizens. Supervisors Duffy, Campos, Avalos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 090429 [Urging federal authorities to approve the citizenship of Shirley Tan and pass the Uniting American Families Act]**
Resolution urging federal authorities to remove obstacles to United Citizenship for Shirley Tan, and urging the passage of the Uniting American Families Act (UAFB, H.R. 1024, S. 424). Supervisors Dufty, Campos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090442 [Armenian Genocide Commemoration Day]**
Resolution declaring April 24, 2009, as Armenian Genocide Commemoration Day in San Francisco. Supervisors Elsbernd, Campos, Dufty, Mirkarimi, Alioto-Pier, Daly, Avalos, Chu, Chiu, Mar, Maxwell presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090443 [Motion establishing Budget Analyst's 2009-2010 schedule of audits]**
Motion repealing Motion No. 09-55 and adopting a new schedule of audits to be conducted of programs of City and County departments. Supervisor Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090444 [Supporting Assembly Bill 324, the Elder Economic Dignity Act of 2009]**
Resolution supporting the California State Assembly Bill 324, the Elder Economic Dignity Act of 2009. Supervisor Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090445 [Office of the Legislative Analyst Request - Owner Move In Evictions]**
Motion requesting the Legislative Analyst to research and obtain information on families with children who are evicted each year through the Owner Move In (OMI) eviction process; to work with all family service providers, eviction defense groups, landlord or apartment associations, and tenant groups to obtain data, hard numbers or anecdotal, that lend information to how many families face OMI evictions each year. We would also like to know how many families are threatened by OMI eviction and take relocation monies without reporting these evictions to the San Francisco Rent Board. Supervisor Mar presented. ASSIGNED to Board of Supervisors.
- 090448 [Supporting Assembly Bill 560, Net Metering]**
Resolution supporting Assembly Bill 560 that would raise the cap on net metering, and possibly eliminate the cap entirely. Supervisor Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

- 090417 [Water System Improvement Program (WSIP) Update]**
Hearing request for a regular quarterly update from the Public Utilities Commission on the Water System Improvement Program (WSIP). Hearings should include information on projects completed to date, the corresponding costs for completed projects, and schedule and corresponding costs for upcoming projects. Supervisors Chu, Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090422 [Community Development Block Grants (CDBG) Allocation]**
Hearing on the Mayor's Preliminary Recommendations on the allocation of the Community Development Block Grants (CDBG). Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090423 [Peak Oil Task Force Report]**
Hearing before Government Audits and Oversight Committee to receive and consider the report and recommendations of the Peak Oil Task Force. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090446 [Hearing - Adopting the Redevelopment Plan for the Visitacion Valley Redevelopment Project]**
Hearing of persons interested in or objecting to proposed ordinance approving and adopting the Redevelopment Plan for the Visitacion Valley Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law; authorizing official acts in furtherance of this ordinance. SCHEDULED FOR PUBLIC HEARING.

Motion

090433 [Appointment, Golden Gate Bridge, Highway and Transportation District]

Motion to consider appointing one member, seat 2, public at large, for term ending January 31, 2011, to the Golden Gate Bridge, Highway and Transportation District. CALLED FROM COMMITTEE.

Clerk to Act – April 7, 2009

Requests Granted

From: Supervisor Chiu

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney's Office to work with the Controller to draft a Charter Amendment incorporating the following recommendations of the Budget Improvement Project:

1. Establish a two-year budget process and mid-cycle correction process.
2. Establish a five-year financial plan to inform a two-year budget.
3. Establish formal financial policies and an approach to meeting them over upcoming budget cycles.

In Memoriams

Sandra Cantu – Entire Board

Len Harrison – Supervisor Mirkarimi

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Ordinances

090461 [Providing members of the public with access to language services]

Ordinance amending the San Francisco Administrative Code by adding new Sections 91.1, 91.8, 91.11, 91.14, 91.18; amending Sections 91.2, 91.3, 91.4, 91.6; amending Section 91.8 and renumbering Section 91.8 as 91.9; amending Section 91.9 and renumbering Section 91.9 as 91.10; amending Section 91.11 and renumbering Section 91.11 as 91.13; amending Section 91.12 and renumbering Section 91.12 as 91.15; amending Section 91.14 and renumbering Section 91.14 as 91.17; renumbering Sections 91.10 as 91.12 and 91.13 as 91.16 to rename the Equal Access Ordinance to Language Access Ordinance and add findings; to develop language services protocols in crisis situations, to amend the contents required in departmental Annual Compliance Plans; to create reporting requirements, to create and outline the Office of Civic Engagement and Immigrant Affairs' responsibilities; to clarify the Ordinance intent to promote the general welfare of the public; to require all City departments to comply with the minimal requirements set forth in this Ordinance; to expand the number of City departments that must comply with the Ordinance in its entirety; to require all City departments to inform Limited English Speaking Persons of their rights under the Ordinance; to require all City Boards, City Commissions, and City Departments to translate meeting minutes; and to amend the compliant procedures. Supervisor Chiu presented. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

090199 [Conflict of Interest Code Amendments]

Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by amending sections 3.1-110, 3.1-120, 3.1-140, 3.1-145, 3.1-150, 3.1-155, 3.1-165, 3.1-175, 3.1-195, 3.1-207, 3.1-218, 3.1-240, 3.1-251, 3.1-253, 3.1-267, 3.1-275, 3.1-280, 3.1-285, 3.1-315, 3.1-320, 3.1-340, 3.1-345, 3.1-362, 3.1-365, 3.1-395, 3.1-410, 3.1-415, 3.1-420, 3.1-422, 3.1-435, 3.1-460, deleting sections 3.1-193, 3.1-300, 3.1-350, 3.1-425, and adding sections 3.1-158, 3.1-268, 3.1-350 to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure categories. Supervisor Daly presented. RE-REFERRED to Rules Committee.

090418 [Waiver of fee for temporary farmers' market in Noe Valley from April 14, 2009, through September 29, 2009]
Ordinance waiving the fees in San Francisco Business and Tax Regulations Code Sections 35 and 248, San Francisco Planning Code Section 355(d), and San Francisco Administrative Code Section 1.10-1 for a farmers' market to be held at 3950 24th Street from April 14, 2009 through September 29, 2009. Supervisor Duffy presented. ASSIGNED to Budget and Finance Committee.

090225 [Residential Water Conservation Ordinance Amendments]

Ordinance amending Chapters 12A of the San Francisco Housing Code to achieve water conservation by improving the water efficiency of residential buildings by amending the standards for water closets, showerheads, and faucet aerators and requiring leak repair in all residential buildings, except for tourist hotels and motels, required upon the occurrence of specific events, amending Chapter 12A to allow an exemption to preserve historical integrity, amending Chapter 12 and 12 A to allow paper and/or electronic forms for compliance and providing that compliance records may be available via the internet, amending Section 1211 to clarify that domestic partners are entitled to the same exemptions from the definition of transfers as spouses, amending the Section 1216 fee provision for energy conservation compliance to include water conservation compliance, and providing that this ordinance shall be effective no earlier than July 1, 2009. Mayor, Supervisor Maxwell presented. ASSIGNED to Land Use and Economic Development Committee.

090226 [Commercial Water Conservation Ordinance Amendments]

Ordinance amending Chapter 13A of the San Francisco Building Code to achieve water conservation by improving the water efficiency of commercial buildings by changing the standards for water closets, urinals, showerheads and faucet aerators and requiring leak repair, required upon the occurrence of major additions or improvements, and in all defined commercial buildings no later than January 1, 2017, authorizing an exemption to preserve historical integrity of the building, authorizing paper and/or electronic forms for compliance and providing that compliance records may be available via the internet, providing that reasonable fees may be required to pay for the cost of implementing this Chapter, to be established by subsequent Board action, and providing that this ordinance shall be effective no earlier than July 1, 2009. Mayor, Supervisor Maxwell presented. ASSIGNED to Land Use and Economic Development Committee.

Resolutions

090462 [AmeriCorps Week - May 9 - 16, 2009]

Resolution declaring May 9 - 16, 2009, AmeriCorps Week. Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090463 [Supporting Aerial Spraying of Pesticide: Inert Ingredients Act (Senate Bill 759)]

Resolution urging the City and County of San Francisco to support Senate Bill 759, Aerial Spraying of Pesticide: Inert Ingredients Act. Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090464 [Congratulating President-Elect Mauricio Funes of El Salvador and encouraging further collaboration and solidarity with San Francisco's Sister City in El Salvador, Santa Tecla]

Resolution congratulating President-Elect Mauricio Funes of El Salvador and encouraging further collaboration and solidarity with San Francisco's Sister City, Santa Tecla. Supervisors Campos, Avalos, Daly, Mar, Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090465 [Denouncing immigration raids and supporting comprehensive immigration reform]

Resolution acknowledging immigrant contributions, denouncing Immigration and Customs Enforcement (ICE) raids, and supporting comprehensive immigration reform focused on family unity, worker justice, civil rights and a path to legalization. Supervisor Campos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090466 [Taxi Medallion Fees]

Resolution urging the San Francisco Municipal Transportation Agency to examine and consider taxi medallion fees. Supervisor Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090467 [Urging the United States Postal Service to issue a commemorative stamp in honor of Supervisor Harvey Milk]

Resolution urging the United States Postal Service to issue a commemorative stamp in honor of Supervisor Harvey Milk. Supervisors Duffy, Campos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 090468 [Commending Captain Denis O'Leary for his leadership at the Ingleside Station]
Resolution commending Captain Denis O'Leary for his leadership at the Ingleside Station, and his accomplishments increasing public safety. Supervisors Dufty, Campos, Elsbernd, Avalos, Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090469 [Green Building Ordinance - Finding of Cost Effectiveness and Energy Savings]
Resolution adopting a finding by the Board of Supervisors, required by State law, that the City's Green Building Ordinance (Chapter 13C of the San Francisco Building Code) is cost effective and will save more energy than the 2008 California Building Efficiency Standards that will go into effect throughout the State of California on August 1, 2009, and directing the Department of Building Inspection or other appropriate City staff to cause the Green Building Ordinance, this resolution, and the supporting study to be transmitted to the California Energy Commission for its review and re-approval. Mayor presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 090472 [Commending Neil G. Giuliano for his success as the President and voice of Gay and Lesbian Alliance Against Defamation (GLAAD)]
Resolution commending Neil G. Giuliano for his dedication and service as the President of the Gay and Lesbian Alliance Against Defamation (GLAAD). Supervisor Dufty presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

- 090456 [Youth Commission's Recommended Budget Priorities]
Hearing on the Youth Commission's Recommended Budget Priorities. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090457 [Status of the implementation of the improvements to Duboce Park]
Hearing to receive an update from the Recreation and Parks Department (RPD) on the status of the implementation of the improvements to Duboce Park including the playground, pathways, proposed youth play zone, basketball courts, and western grassy play area. Supervisor Dufty presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 090458 [San Francisco Botanical Gardens]
Hearing to discuss the Recreation and Park Department's proposal to charge an entrance fee to the San Francisco Botanical Gardens. Supervisor Mar presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 090459 [Eastern Neighborhoods Plans]
Hearing on the progress report on the implementation of the recently adopted Eastern Neighborhoods Plans. Supervisor Maxwell presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 090460 [Process and selection of San Francisco Police Department Ingleside District Station for community policing]
Hearing on the process and selection of San Francisco Police Department (SFPD) Ingleside District Station as the pilot station for community policing as outlined by the performance review. Supervisors Mirkarimi, Campos, Dufty presented. RECEIVED AND ASSIGNED to Public Safety Committee.

Motions

- 090470 [Appointment, Entertainment Commission - Nicky Calma]
Motion approving the Mayor's nomination for appointment of Nicky Calma to the Entertainment Commission, for the unexpired portion of a four-year term ending July 1, 2009. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.
- 090471 [Appointment, Entertainment Commission - Nicky Calma]
Motion rejecting the Mayor's nomination for appointment of Nicky Calma to the Entertainment Commission, for the unexpired portion of a four-year term ending July 1, 2009. (Clerk of the Board) . RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

090385 [Settlement of Lawsuit - Robert Cruz and Darwin Dias - \$92,000]

Ordinance authorizing settlement of the lawsuit filed by Robert Cruz and Darwin Dias against the City and County of San Francisco for \$92,000; the lawsuit was filed on January 14, 2008 in the United States District Court, Northern District of California, Case No. 08-0244; entitled Robert Cruz, et al. v. City and County of San Francisco, et al. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

090388 [Zoning - Establishing the 1500 Page Street Residential Care Special Use District]

Ordinance amending the San Francisco Planning Code by adding Sections 249.41 and 263.22 to establish the 1500 Page Street Residential Care Special Use District (SUD), encompassing the real property located at 1500 Page Street (Assessor's Block 1223, Lot 004), to permit the expansion of a building used for residential care; and adopting General Plan, Planning Code and environmental findings. (Planning Commission) Supervisor Mirkarimi presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090392 [Zoning - Ordinance amending Planning Code Section 309.1]

Ordinance amending Planning Code Section 309.1 to allow a design review exception for Downtown Residential districts permitting minor height measurement modifications that could otherwise be modified as a Planned Unit Development pursuant to Section 304. (Planning Department) . ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

090383 [In Home Supportive Services Contract with IHSS Consortium of San Francisco]

Resolution approving the contract between the City and County of San Francisco and the IHSS Consortium of San Francisco for the provision of In-Home Supportive Services for the period from July 1, 2009 to June 30, 2013, in the amount of \$74,996,175. (Human Services Department) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

090384 [Settlement of Unlitigated Claim - Allstate Insurance Company - \$30,000]

Resolution approving the settlement of unlitigated claim of Allstate Insurance Company as subrogee for Rajitha Sangha against San Francisco for \$30,000; claim was filed on October 22, 2008. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

090386 [Approval of Contract Modification No. 2 to Contract No. 350-30 between the City and County of San Francisco and DaimlerChrysler Commercial Buses North America Ltd. - \$18,250,293.80]

Resolution approving Contract Modification No. 2 to Contract No. 350-30 between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and DaimlerChrysler Commercial Buses North America Ltd., to replace the energy storage system in the entire 30-foot hybrid electric bus fleet from lead acid based batteries and controls to lithium-ion based batteries and controls with a five-year battery warranty, delete special tools that are no longer needed, and purchase training modules, at an additional cost of \$1,075,524, for a total contract amount not to exceed \$18,250,293.80. (Municipal Transportation Agency) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

090387 [Approval of Contract Modification No. 4 to Contract No. 350 between the City and County of San Francisco and DaimlerChrysler Commercial Buses North America Ltd. - \$32,223,133.25]

Resolution approving Contract Modification No. 4 to Contract No. 350 between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and DaimlerChrysler Commercial Buses North America Ltd., to replace the energy storage system in the entire 40-foot hybrid electric bus fleet from lead acid based batteries and controls to lithium-ion based batteries and controls with a five-year battery warranty, at an additional cost of \$2,520,000, for a total contract amount not to exceed \$32,223,133.25. (Municipal Transportation Agency) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – April 14, 2009

Board Minutes for March 17, 2009 approved.

Requests Granted

From: Supervisor Duffy

To: The Honorable Jared Polis, Member of Congress, 501 Cannon H.O.B.,
Washington, D.C. 20515-0602

Requesting/Inquiring: Supervisor Bevan Duffy requests that we advise you of the Board's passage of Resolution 090428 condemning the persecution and murders of Lesbian, Gay, Bisexual, and Transgender (LGBT) Iraqi Citizens and that the Board commends your leadership and advocacy during your Congressional visit to Baghdad drawing attention the pervasive violence and killings of Gay Iraqi's and insistence that the United States and Government of Iraq take action to made these killings stop.

Cc: The Honorable Nancy Pelosi
Speaker, U.S. House of Representatives
450 Golden Gate Avenue, 14th Floor
Washington, D.C., 20515-0602

The Honorable Jackie Speier
Member of Congress
400 S. El Camino Real, Suite 410
San Mateo, CA 94402

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation that allows the San Francisco Department of Public Health to establish a pilot program for administering and directly distributing medical cannabis in accordance with Proposition 215 and SB 420.

From Supervisor Mirkarimi

To: Director, Department of Public Work

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes

Southeast corner Post and Broderick

Southwest corner Bush and Divisadero

Southwest corner Broderick and Fulton

Northeast corner Laguna and Oak

Southwest corner Geary and Webster

Southwest corner Scott and Haight
Northwest corner Waller and Scott

Bus Shelters

Southwest corner Pierce & Haight
Southside of Street at Haight & Buena Vista West
Fillmore and Haight (all 4 bus stops, graffiti and grime)

Emergency Boxes

Southeast corner Scott & Oak

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner

Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily

Northwest corner of Hayes and Gough

City Star

Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly

Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans

Southwest corner Webster and Haight
Southwest corner Oak & Fillmore
Northwest corner Sutter & Scott
Northwest Baker & Haight
Southeast corner Masonic & Haight
Northwest McAllister & Haight

Mailboxes

Northwest corner Cole and Page
Southwest Fillmore & Hermann

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations:

In front of 588 Haight Street, street and gutter repair, DPW fixed it recently but it still floods by the City gutter, and the pavement is uneven and cracking.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles

In front of 1260 Haight
In front of 937 Haight
Northwest corner Divisadero and Haight
Southeast corner Pierce and Haight
Southeast corner Potomac and Haight

Wood Pole

Southwest corner Page and Shrader
Southeast corner Frederick and Shrader

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

1805 Divisadero	583 Haight
237 Steiner	494 Haight
55 Laguna (Haight & Buchanan)	478 Haight
546 Haight	44 Haight
1576 Page	400 Ashbury
1638 Stanyan	193 Haight
339 Fillmore	1399 Haight
1213 Fell	1401 Haight
1366 Haight	1220 Haight
1301 Haight	1431 Haight
1192 Haight	1444 Haight
963 Haight	1470 Haight
799 Haight	1599 Haight
807 Haight	501 Fillmore

In Memoriams

Redmond Kernan – Entire Board
 Dr. Richard Johnson – Supervisor Daly
 John Byrd – Supervisor Dufty
 Annette Lillian Friedman Clark – Supervisor Dufty
 David Brett Bullen – Supervisor Dufty
 Michael P. Kenny – Supervisor Dufty
 Lilian (Lily) Gaspari Ghielmetti – Supervisor Dufty
 Tom Kennedy – Supervisor Mirkarimi

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tel. No. 554-5184
TDD No. 554-5227

Legislation Introduced
Including All Off-Calendar Items
April 21, 2009

OFF-AGENDA LEGISLATION

GOVERNMENT
DOCUMENTS DEPT

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Introduced by Supervisors or Mayor

Ordinances

- 090473 [Building and Housing Code - Code Enforcement Fees for One and Two-Family Rental Units]
Ordinance amending the San Francisco Building Code Chapter 1A, Section 110A, Table 1A-P, and the San Francisco Housing Code Chapter 3, Section 302 to authorize the Department of Building Inspection to charge a fee of \$52.00 per unit to recover the cost of on-going Housing Code enforcement services for one and two-family rental dwellings; and making environmental findings. Supervisors Campos, Chiu, Daly presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 090474 [Divided ownership of Real Ownership Opportunities for Tenants (ROOTS) program projects comprised of separate legal parcels]
Ordinance amending San Francisco Board of Supervisors Ordinance No. 34-07 by permitting projects that are the subject of Real Ownership Opportunities for Tenants (ROOTS) program grants to be comprised of separate legal parcels. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 090475 [Exceptions to Seismic Safety Loan Program requirements to amend loan to 53 Columbus Avenue]
Ordinance approving exceptions to requirements under San Francisco Administrative Code Sections 66 and 66A and the Seismic Safety Loan Program Regulations, dated May 2006, adopted by the Board of Supervisors through Ordinance No. _____, to amend an existing Seismic Safety Loan Program ("SSLP") loan for a project at 53 Columbus Avenue, San Francisco, California, to allow for cooperative housing and a transfer of the commercial portion of the project improvements. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 090477 [Amending Planning Code - South of Market (SOMA) Community Stabilization Fund]
Ordinance amending the San Francisco Planning Code to clarify certain provisions relating to the South of Market (SOMA) Stabilization Fund by amending Section 318.2 and 318.7 to clarify that the Mayor's Office of Community Investment, the successor to the Mayor's Office of Community Development, will manage and expend the Fund; and amending Section 318.3 to clarify that the SOMA Stabilization fee is due before issuance of the final certificate of occupancy or within a time certain after the issuance of a first certificate of occupancy, whichever is sooner; and making certain findings including findings under the California Environmental Quality Act. Supervisor Daly presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090136 [Measure adopting and submitting to the voters an ordinance imposing a local assessment on all vehicles in San Francisco that are subject to Department of Motor Vehicle registration]
Ordinance adopting and submitting to the voters the ordinance amending the San Francisco Business and Tax Regulations Code to add Article 8 imposing a voter-approved local assessment on the privilege of a resident of the City and County to operate upon the public highways in the City and County a vehicle or trailer coach, the registrant of which is subject to tax under Part 5 (commencing with Section 10701) of the California Revenue and Taxation Code, at a rate not to exceed the difference between two percent of the market value of the vehicle or trailer coach and the rate imposed by the State of California pursuant to Section 10751 of the Revenue and Taxation Code, administered by the State Department of Motor Vehicles; acknowledging that state law has not yet been enacted authorizing the imposition of the assessment but approving imposition of such a charge at the specified rate when and if state law authorizes the City to impose it and directing submission of the measure for voter approval at the November 3, 2009 general municipal election. Supervisors Chiu, Duffy presented. ASSIGNED to Budget and Finance Committee. SUBSTITUTED

Resolutions

090478 [Accept and Expend Grant - Department of Public Health - \$402,342]
Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend a grant in the amount of \$402,342 from the Centers for Disease Control and Prevention (CDC) to support the Medical Monitoring Project (MMP); for the period of June 1, 2009 through May 31, 2010. Supervisor Duffy presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090479 [Accept and Expend Grant - Mayor - \$3,000,000]
Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend a grant from the U.S. Department of Housing and Urban Development for lead-based paint hazard reduction in a total amount not to exceed \$3,000,000. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090480 [Supporting Senate Bill 797, the Toxin-Free Babies and Toddlers Act]
Resolution urging the City and County of San Francisco to support Senate Bill 797 (SB 797), the Toxin-Free Babies and Toddlers Act. Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090481 [Accept and Expend Grant - Department of Public Health (DPH) - \$100,000]
Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of \$100,000 from the National Association of County and City Health Officials (NACCHO) to support a public health preparedness project through the Communicable Disease and Prevention Section; for the period of April 1, 2009 through September 29, 2009. Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090482 [Opposing Proposition 1D on the May 19, 2009 Statewide Special Election]
Resolution opposing Proposition 1D on the May 19, 2009 Statewide Special Election. Supervisor Avalos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090483 [Supporting Senate Bill 585 to ban gun shows at the Cow Palace]
Resolution supporting Senate Bill 585 to ban gun shows at the Cow Palace. Supervisors Avalos, Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090486 [Drug Enforcement Administration (DEA) raids on medical cannabis dispensaries]
Resolution urging a cessation of recent Drug Enforcement Administration raids on medical cannabis dispensaries. Supervisor Campos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 090487 [Accept and Expend Grant - Department of Public Health (DPH) - \$34,645]**
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$34,645 from the Public Health Foundation Enterprises (PHFE), to support a research project entitled "Chemoprophylaxis for HIV Prevention in Men;" for the period of February 1, 2009 through January 31, 2010. Supervisor Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090488 [Commending Parents for Public Schools-San Francisco for ten years of service]**
Resolution commending Parents for Public Schools-San Francisco on ten years of service to the parents, students and public schools of San Francisco. Supervisor Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090489 [Building Safety Week - May 3-9, 2009]**
Resolution declaring May 3-9, 2009, as Building Safety Week in San Francisco, recognizing the public safety efforts undertaken by the professionals at the Department of Building Inspection, and honoring these public employees for their dedication to safety. Supervisor Elsbernd presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090490 [Commending Robert Pender on the occasion of his 85th birthday]**
Resolution commending Robert Pender on the occasion of his 85th birthday. Supervisor Elsbernd presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090491 [Accept and Expend Grant - Department of Public Health - Laguna Honda Hospital (DPH-LHH) - \$7,500]**
Resolution authorizing the San Francisco Department of Public Health (DPH) – Laguna Honda Hospital (DPH-LHH), to accept and expend retroactively a grant in the amount of \$7,500 from the Stanford Geriatric Education Center, to support the transitional healthcare project, for the period of July 1, 2008 through June 30, 2009. Supervisor Elsbernd presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090492 [Declaring June, July and August 2009 as Soda Free Summer]**
Resolution declaring June, July and August 2009 as "Soda Free Summer" and urging all San Franciscans to join Shape Up SF to "Rethink Your Drink " and go Soda Free this summer. Supervisor Maxwell presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

- 090452 [Withdrawing Charter Amendment for November 2009 election - Board of Supervisors aides]**
Motion withdrawing, pursuant to Section 370(a) of the Municipal Elections Code, the Board of Supervisors order of submission to the voters a Charter Amendment entitled Board of Supervisors aides. Supervisors Alioto-Pier, Elsbernd presented. RECEIVED AND ASSIGNED to Rules Committee.
- 090476 [Rejecting the FY 2009-2010 Municipal Transportation Agency (MTA) Budget]**
Motion rejecting the Municipal Transportation Agency's (MTA) proposed FY 2009-2010 budget. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED ORDINANCE

- 090394 [Settlement of Lawsuit - San Francisco Pier 33 LLC - \$225,000]**
Ordinance authorizing settlement of the lawsuit filed by San Francisco Pier 33 LLC against the City and County of San Francisco for \$225,000; the lawsuit was filed on July 9, 2007 in San Francisco County Superior Court, Case No. CGC 07-464954; entitled San Francisco Pier 33 LLC v. City and County of San Francisco, et al.; other material terms of said settlement are agreement to amend plaintiff's lease of San Francisco Port Commission property to expand permissible uses, allow for certain sign replacements, and provide right of first refusal to enter into five-year lease of the property beginning June 13, 2014. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTION

090455 [Settlement of Claim - Marsanne Weese - \$26,974.20]

Resolution approving the settlement of the unlitigated claim submitted by Marsanne Weese against the City and County of San Francisco for \$26,974.20; claim was submitted on September 26, 2008. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

Clerk to Act – April 21, 2009

Board Minutes for March 24, 2009 approved.

Requests Granted

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation that would create a pilot program to allow street fairs to charge admission for events on the streets surrounding the Civic Center Park area. Please explore the possibilities of requiring organizers to meet the following requirements:

- Must be a non-profit
- Must pay a higher permit fee and donate a portion of the proceeds to charity.
- Must outreach to residents within one block and offer them free admission.
- A portion of the area must be designated for free-of-charge access with related activities or entertainment.
- Receive approval of the Entertainment Commission.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Metal Pole

In front 442 Haight

In front of 445 Fillmore

Southeast corner Stanyan & Waller

Oak and Central (Panhandle side)

Southwest corner Page & Scott

Southwest corner Masonic & Fulton

Southwest corner McAllister & Webster

Wood Poles

In front of 419 Clayton

Bus Shelters

Southwest corner Fillmore and Hayes

Fillmore and Hermann (graffiti in canopy)

All four bus shelters on Haight and Fillmore (graffiti in canopy)

Southwest corner Laguna & McAllister

Southeast corner McAllister and Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Utility Boxes

Northwest corner McAllister and Fillmore
Southeast corner of Broderick & Fell
Southeast corner Fell & Buchanan
Northeast corner Baker & Fulton

Garbage Cans

Northeast corner Haight & Buchanan
Southwest corner Haight & Webster

Mailboxes

Southwest corner Grove & Gough

Fire Hydrant

Northeast corner Clayton & Waller

Potholes

On Fillmore (West side, North of Grove)

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

355 Laguna
2275 Fulton
1213 Fell
1230 Fell
745 Fillmore
515 Fell
478 Haight
498 Haight
430 Haight
1153 Oak
1008 Oak
501 Fillmore
399 Webster

In Memoriams

William E. Price – Entire Board
Ann L. Brady Powell – Supervisor Dufty

Kyle Peter Llarinas – Supervisor Elsbernd

Richard Peterson, Sr. – Supervisors Elsbernd, Dufty, Alioto-Pier, Chu, Maxwell

BOARD of SUPERVISORS



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San Francisco, CA 94102-4689
Tel. No. 554-5184
TDD No. 554-5227

Legislation Introduced
Including All Off-Calendar Items
April 28, 2009

OFF-AGENDA LEGISLATION

GOVERNMENT
DOCUMENTS DEPT

APR 30 2009

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Introduced by Supervisors or Mayor

Ordinances

090523 [Eastern Neighborhoods Citizens Advisory Committee]

Ordinance amending the Administrative Code Section 10E.2 concerning the qualifications for and number of members on the Eastern Neighborhoods Citizens Advisory Committee. Supervisor Daly presented. RECEIVED AND ASSIGNED to Rules Committee.

090526 [Waiver of temporary street space occupancy fee on May 16, 2009 for Small Business Week Sidewalk Sale]

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain sections of the City on Saturday, May 16, 2009 as part of Small Business Week. Mayor presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090527 [Public Employment and Accept-Expend Federal pass through State Grant - Amendment to the Annual Salary Ordinance, FY 2008-2009. Mayor's Summer Food Service Program and Afterschool Snack Program - 2009]

Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance 2008-09) to reflect the addition of one position (0.40 FTE) 9774 Sr. Community Development Specialist, one position (0.40 FTE) 1840 Jr. Management Assistant, and thirteen positions (1.04 FTE) 9910 Public Service Trainee in the Department of Children, Youth and Their Families (CHF), and authorizing the department to accept and expend a grant in the amount of \$885,127 currently and retroactively, if necessary, from the United States Department of Agriculture pass through the California Department of Education to sponsor the 2009 Mayor's Summer Food Service Program and the After School Snack Program. Supervisor Duffy presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

090517 [Proclaiming April 2009 Autism Awareness Month in San Francisco]

Resolution proclaiming April 2009 Autism Awareness Month in San Francisco. Supervisors Duffy, Alioto-Pier presented. ADOPTED.

090524 [Initiate the Designation of the ILA Hall 38-79, 113 Steuart Street, as a Landmark]

Resolution initiating designation of real property at 113 Steuart Street, located on the western side of Embarcadero encompassing all of Block 3715, Lot 2, including the building located thereon, commonly known as the ILA Hall 38-79, as a Landmark pursuant to Section 1004.1 of San Francisco Planning Code. Supervisor Daly presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

090528 [Declaring May 12, 2009, as John Ross Day]

Resolution commending John Ross for his service to San Francisco over the past 45 years as a writer, poet, journalist, speaker, teacher, and community organizer, and declaring May 12, 2009, to be John Ross Day. Supervisor Avalos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090530 [Municipal Clerks Week - May 3-9, 2009]

Resolution declaring May 3-9, 2009, as Municipal Clerks Week in the City and County of San Francisco, hereby recognizing the vital services performed by Municipal Clerks and especially by the City and County of San Francisco Board of Supervisors Clerk of the Board, Angela Calvillo, and her staff. Supervisors Chiu, Alioto-Pier, Avalos, Campos, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090531 [Declaring May 2009 as Hepatitis B Awareness Month]

Resolution declaring May 2009 as Hepatitis B awareness month in San Francisco, with the goal of holding at least one Hepatitis B awareness or prevention event every day of the month; build on continuing efforts by the San Francisco community to make San Francisco the first city in America to be free of Hepatitis B disease; encouraging all San Francisco residents to know their own Hepatitis B status. Supervisors Chiu, Alioto-Pier, Chu, Maxwell presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090532 [Supporting Senate Bill 782, Residential tenancies: domestic violence]

Resolution supporting Senate Bill 782 to provide stable, safe housing for victims of domestic violence, sexual assault or stalking. Supervisor Chu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090533 [Urging Golden Gate National Recreation Area (GGNRA) to consider needs of Ocean Beach]

Resolution urging the Golden Gate National Recreation Area (GGNRA) to consider needs of Ocean Beach when allocating \$16.1 million it has received in American Recovery and Reinvestment Act funds as well as future allotments of Federal funding. Supervisors Chu, Mar, Elsbernd presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090534 [Mortgage Revenue Bonds]

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed \$12,000,000 for Arlington Residence; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$60,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$12,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein). Supervisor Daly presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090535 [Declaring Van Ness Avenue and Geary Boulevard Bus Rapid Transits as San Francisco's Top Federal Small Starts Funding Priority]

Resolution declaring Van Ness Avenue Bus Rapid Transit and Geary Boulevard Bus Rapid Transit as San Francisco's top and sole priorities for Federal Small Starts Funding. Supervisors Dufty, Mar, Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090536 [Commending Chris Ellen Montgomery on her 25 years of service to the City and County of San Francisco]

Resolution commending Chris Ellen Montgomery for her 25 years of exceptional service to the City and County of San Francisco and the Department of Public Works. Supervisor Dufty presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090537 [Endorsing San Francisco's inclusion in the "Healthy Purchase Pilot Program"]

Resolution endorsing and supporting San Francisco's inclusion in the California Department of Public Health's "Healthy Purchase Pilot Program." Supervisor Maxwell presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

090518 [Controller's Nine Month Report]

Hearing on the Controller's Nine Month Report. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090519 [Proposed changes to the Annual Appropriation Ordinance for the Municipal Transportation Agency for fiscal year 2009-2010]

Hearing to consider proposed changes to the Annual Appropriation Ordinance for the Municipal Transportation Agency for fiscal year 2009-2010. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090520 [Ethics Commission's priorities for fiscal year 2009-2010]

Hearing on the Ethics Commission's priorities for fiscal year 2009-2010. Supervisor Campos presented. RECEIVED AND ASSIGNED to Rules Committee.

090521 [Mexican Museum project]

Hearing to discuss the status of the Mexican Museum project. The hearing shall include a discussion of the City and County of San Francisco's commitment to the completion of the Mexican Museum project. The hearing shall include a presentation by and/or discussion with all relevant City agencies, including, without limitation, the San Francisco Arts Commission, the San Francisco Redevelopment Agency, and the Mayor's Office of Neighborhood Services. Supervisor Campos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090522 [Health and Economic Stimulus]

Hearing on the correlation of health and wellness to economic recovery programs and reinvestment for San Francisco. Supervisor Maxwell presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Motions

090525 [Amending the Rules of Order of the Board of Supervisors to establish process regarding Civil Grand Jury Reports]

Motion amending the Rules of Order of the Board of Supervisors to add a new Section 6.26 establishing timeline and process for review and preparation of response to Civil Grand Jury Reports. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Rules Committee.

090529 [Waiver permitting City Employees to Assist the Department of Elections with the May 19, 2009, special statewide election]

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the May 19, 2009, special statewide election. Supervisor Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

- 090076 [Administrative Code - Establishing Fees under the Community Preservation and Blight Reduction Act]
Ordinance amending the San Francisco Administrative Code Chapter 80, Section 80.4, to authorize the Department of Public Works to charge a fee of \$250 to cover the cost of inspecting blighted properties and to charge an increased fee to recover additional inspection costs incurred in enforcement of the Community Preservation and Blight Reduction Act; amending Section 80.8 to clarify that the Blight Abatement Fund is a Category Six special fund within the meaning of Administrative Code Title XIII, Section 10.100-1; and making environmental findings. (Public Works Department)
Supervisor Avalos presented. RECOMMENDED AS AMENDED.

PROPOSED RESOLUTIONS

- 090450 [Approval of Sheriff's Contract for Jail Commissary and Inmate Trust Fund Accounting & Management System with ARAMARK Correctional Services, LLC] -
Resolution approving a contract for operating the Sheriff's Jail Commissary and Inmate Trust Fund Accounting & Management System, between ARAMARK Correctional Services, LLC. (ARAMARK), and the City and County of San Francisco, acting by and through its Sheriff's Department. (Sheriff) . RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090451 [Memorandum of Understanding between the Treasure Island Development Authority and the San Francisco Public Utilities Commission for Payment of Unpaid Utilities]
Resolution approving and authorizing the execution of a Memorandum of Understanding between the Treasure Island Development Authority and the San Francisco Public Utilities Commission for Payment of Unpaid Utility Amounts. (Treasure Island Development Authority) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – April 28, 2009

Board Minutes for March 24, 2009 approved.

Requests Granted

From: Supervisor Avalos

To: Director, Human Services Agency

Requesting/Inquiring: Inquiring of the Human Services Agency a detailed accounting and breakdown of \$189 million reportedly spent by the City on homeless services.

From: Supervisor Campos

To: City Administrator, Office of the City Administrator

Requesting/Inquiring: Requesting a list of contracts under \$10 million issued by the Purchasing Division of the Office of the City Administrator in fiscal years 2007-08, 2008-09, and 2009-10.

From: Supervisor Maxwell

To: Clerk of the Board

Requesting/Inquiring: Requesting the Clerk of the Board to prepare an analysis of how the current Budget Analyst's Office functions might operate within the Department of Board of Supervisors.

The analysis should include:

1. An estimate of City resources needed to conduct all or portions of the scope of work outlined in the current Budget Analyst's Office contract.
2. A discussion of where the Budget Analyst functions might fit within the organizational structure of the Department.
3. An evaluation of the Office of Legislative Analyst's capacity to perform a portion of this scope of work.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Can

Northwest corner Grove & Fillmore

Southwest corner Buena Vista West and Haight

Mailboxes

In front of 560 Haight

Southeast corner Cole and Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

355 Laguna
55 Laguna (Haight and Buchanan Street sides)
583 Haight (the merchant is Blown Away)
500 Scott
478-484 Haight
1174 Fell
1213 Fell
638 Stanyan
1301 Haight
796 Haight
1415 Broderick
1001 Cole
525 Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

In front of 1112 Haight
In front of 937 Haight
Northeast corner Carl & Clayton
Northwest corner Clayton & Fulton
Southeast corner Divisadero & Haight (near bus shelter)
In front of 228 Fulton

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property at the following locations:

Utility Boxes

Southeast corner Golden Gate & Scott
Southwest corner Stanyan and Haight
Southwest corner Clayton and Fulton
Northeast corner McAllister and Scott

Bus Shelters

Southeast corner Hayes and Buchanan
Southwest corner Pierce & Haight
Southside of street @ Haight & Buena Vista West

Fillmore and Haight (all 4 bus stops, graffiti and grime)

Emergency Boxes

Southwest corner Golden Gate and Gough

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore and Post

Southwest corner of Divisadero and Sutter

9th Avenue and Judah (near bus stops)

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore

Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Irving and 9th Avenue

Irving and 7th Avenue

Southwest corner of Haight and Clayton

Southeast corner of Haight and Masonic

Examiner

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

SF Daily

Northwest corner of Hayes and Gough

City Star

Northwest corner of Hayes and Gough

Southeast corner of Fillmore and Haight

SF Weekly

Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore.

In Memoriams

Dan Cusick – Supervisor Dufty

Paolo Dominici – Supervisor Dufty

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tel. No. 554-5184
TDD No. 554-5227

**Legislation Introduced
Including All Off-Calendar Items
May 5, 2009**

OFF-AGENDA LEGISLATION

**GOVERNMENT
DOCUMENTS DEPT**

MAY - 8 2009

**SAN FRANCISCO
PUBLIC LIBRARY**

Introduced by Supervisors or Mayor

Ordinances

- 090538** [Appropriating \$818,844 of available fund balance for code enforcement activities in the Department of Building Inspection for Fiscal Year 2008-2009]
Ordinance appropriating \$738,240 of Code Enforcement Rehabilitation Fund unappropriated fund balance and deappropriating \$80,604 of prior year appropriations to support code enforcement activities in the Building Inspection Operating Fund and Repair and Demolition fund in the Department of Building Inspection for Fiscal Year 2008-2009. Supervisors Chiu, Avalos, Campos, Daly presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090540** [Annual Appropriation Ordinance for Selected Departments, as of May 1, 2009, Fiscal Year ending June 30, 2010]
Ordinance appropriating all estimated receipts and all estimated expenditures for Selected Departments of the City and County of San Francisco as of May 1, 2009, for the Fiscal Year ending June 30, 2010. (Mayor) . RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090541** [Proposed Annual Salary Ordinance for Selected Departments, Fiscal Year ending June 30, 2010]
Proposed Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for Selected Departments of the City and County of San Francisco for the Fiscal Year ending June 30, 2010. (Mayor) . RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090543** [Revising Board of Appeals Filing Fees]
Ordinance amending Article 1, Section 8, of the San Francisco Business and Tax Regulations Code, to increase specified Board of Appeals filing fees, to make technical corrections, and making environmental findings. (Mayor) . RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090544** [Revising Board of Appeals Surcharges]
Ordinance amending Section 10G.1 of the San Francisco Administrative Code to adjust the surcharges on permit fees, license fees, permit review fees and permit and license renewal fees imposed by the Department of Building Inspection, the Planning Commission, the San Francisco Municipal Transportation Agency Board of Directors, the Police Department, the Department of Public Works, the Entertainment Commission, the Department of Public Health and the Arts Commission for permits and licenses that may be appealed to the Board of Appeals, and making environmental findings. (Mayor) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 090546 [Appropriating \$119,800,000 of proceeds from debt for wastewater system improvements at the Public Utilities Commission for Fiscal Year 2008-2009]
Ordinance appropriating \$119,800,000 of proceeds from debt revenue for the Wastewater Enterprises' Interim Capital Improvement Program and the Sewer System Master Plan Biosolids/Digester and Channel Tunnel Projects at the San Francisco Public Utilities Commission for Fiscal Year 2008-2009 and placing \$78,800,000 on Controller's reserve pending of the sale of bonds. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090548 [Appropriating \$58,747,600 of capital lease revenue for the Advanced Meter Infrastructure Project at the Public Utilities Commission for Fiscal Year 2008-2009]
Ordinance appropriating \$58,747,600 of capital lease revenue for the Water Enterprises' Advanced Meter Infrastructure Project and the reimbursement of previously appropriated Water Enterprise Revenues for the same project at the San Francisco Public Utilities Commission for Fiscal Year 2008-2009 and placing the entire appropriation on Controller's reserve pending receipt of the funds. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090554 [Building Code - Registration of Vacant/Abandoned Buildings; Annual Fee and Penalties for Violation]
Ordinance amending the San Francisco Building Code by adding Section 103A.4 to require the owner of a vacant or abandoned building to register the building with the Department of Building Inspection, require the owner to maintain the grounds and the exterior and interior of the building in good condition, and provide that a property in violation of the requirements is a public nuisance; and by amending Section 110, Table 1A-J to establish an annual registration fee; adopting environmental and other findings. Supervisor Chiu presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 090555 [Amendments to the Police Code by adding Section 1.1 designating Clipper Cove as a Special-Use Area]
Ordinance amending the San Francisco Police Code by adding Section 1.1 designating Clipper Cove as a Special-use Area, making it a misdemeanor to moor or anchor a vessel in Clipper Cove without a valid permit issued by the Treasure Island Development Authority ("TIDA"), or its designee, and allowing TIDA to remove and store vessels moored in violation of this Ordinance. Supervisor Daly presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 090526 [Requiring Amended Certificates of Final Completion and Occupancy for Changes of Occupancy of Existing Buildings]
Ordinance amending the San Francisco Building Code by amending Section 109A to provide that an Amended Certificate of Final Completion and Occupancy shall be issued for an existing building where there is an increase in the number of legal dwelling units resulting in a change of occupancy, and to require the Amended Certificate of Final Completion and Occupancy to include a reference to the date of the first certificate of occupancy and any subsequent certificates of occupancy that have been issued for the building; amending the Planning Code by adding Section 359 to provide that a requirement to pay a development impact fee prior to issuance of a certificate of occupancy shall include payment of the fee prior to issuance of an amended certificate of occupancy. Supervisor Mirkarimi presented. ASSIGNED to Land Use and Economic Development Committee. SUBSTITUTE

Resolutions

- 090542 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved for Enterprise Departments]
Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: employee and public parking management services, information booth services, security services, and shuttle bus services (Airport); paratransit services, security services, parking citation and collection, janitorial - various facilities, meter collection and coin counting, towing services, and transit shelter maintenance services (MTA); janitorial and security services (Port). (Mayor) . RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090549 [Accept and Expend - State of California CalHome Grant - Fiscal Year 2009]
Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend a grant from the California Department of Housing and Community Development (HCD) in a total amount not to exceed \$1,500,000 to assist low income first time homebuyers and low income homeowners. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 090550 [Authorizing submittal of application for Transit Oriented Development (TOD) Funds]**
Resolution authorizing the submittal of an application by the Mayor's Office of Housing to the California State Department of Housing and Community Development for funding under the Transit Oriented Development (TOD) housing program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the Transit Oriented Development (TOD) housing program. Mayor presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 090556 [Amendment to the City's contract with Office Depot to increase the dollar amount by more than \$500,000]**
Resolution approving the Seventh Amendment to the Agreement between the City and Office Depot (Contractor) for office supplies, increasing the contract's dollar amount to \$20,035,000 pursuant to Charter Section 9.118(b). Supervisor Duffy presented. RECEIVED AND ASSIGNED to Budget and Finance Subcommittee.
- 090557 [Multi-year permit for the use of certain portions of Golden Gate Park for a three-day music festival]**
Resolution authorizing and approving the execution, delivery and performance of a Permit to Another Planet Entertainment for the use of certain portions of Golden Gate Park for an annual three-day music festival for a term of three (3) years plus an additional two (2) year option; and adopting environmental findings and findings that the Permit is consistent with the City's General Plan and the eight priority policies of Planning Code Section 101.1. Supervisor Mar presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 090559 [Authorization for designated City and County officials to obtain federal financial assistance provided by the Department of Homeland Security]**
Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the law of the State of California, any applications or agreements and to take any actions necessary to obtain federal financial assistance provided by the federal Department of Homeland Security and sub-granted through the State of California, including the following grants: Emergency Management Performance Grant, Hazard Mitigation Grant, Pre-Disaster Mitigation Grant, and Emergency Operations Center Grant. Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090560 [Proclaiming May 17-23, 2009, as Public Works Week in San Francisco]**
Resolution declaring May 17-23, 2009, as Public Works Week in San Francisco; acknowledging that the San Francisco Department of Public Works is an integral part of the community and has produced significant achievements; encouraging all San Francisco residents and businesses to work in collaboration with the department. Supervisor Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090561 [Issuance and Sale of Revenue Bonds - 178 Townsend Street Housing Project]**
Resolution approving the issuance and sale of tax-exempt bonds by the Association of Bay Area Governments for Nonprofit Corporations in an aggregate principal amount not to exceed \$30,000,000 for financing the rehabilitation of a housing project located at 178 Townsend Street, subject to the policies for such approvals adopted by the Board of Supervisors in Ordinance No. 36-07. Supervisor Daly presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090562 [Richmond/Senator Milton Marks Branch Library grand re-opening]**
Resolution recognizing the grand re-opening of the Richmond/Senator Milton Marks Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents. Supervisor Mar presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090563 [Commending Superior Court Judge John Dearman for his 31 years of distinguished service to the City and County of San Francisco]**
Resolution commending Superior Court Judge John Dearman for his 31 years of distinguished service to the City and County of San Francisco. Supervisors Duffy, Maxwell presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090564 [Urging the Controller's Office to undertake a performance audit of the J Church Metro line]**
Resolution urging the Controller's Office to undertake a performance audit of the J Church Metro line. Supervisors Duffy, Avalos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090405 [Accept and Expend - Emergency Shelter Grants Program - \$979,606]

Resolution approving the fiscal year 2009/10 Emergency Shelter Grant (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's fiscal year 2009/10 Emergency Shelter Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$938,867 and to expend Reprogrammed Funds in the amount of \$40,739. Mayor presented. ASSIGNED to Budget and Finance Committee. *SUBSTITUTE*

090406 [Accept and Expend - HOME Program - \$8,602,628]

Resolution approving the fiscal year 2009/10 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's fiscal year 2009/10 HOME Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$8,602,628. Mayor presented. ASSIGNED to Budget and Finance Committee. *SUBSTITUTE*

090407 [Accept and Expend - Community Development Block Grant (CDBG) - \$23,072,426]

Resolution approving the fiscal year 2009/10 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's fiscal year 2009/10 Community Development Block Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$21,092,426 and to expend Program Income and Reprogrammed Funds in the amount of \$1,980,000. Mayor presented. ASSIGNED to Budget and Finance Committee. *SUBSTITUTE*

Requests for Hearing

090539 [Mayor's Proposed May Budget 2009-2010]

Hearing to review the Mayor's Proposed May Budget 2009-2010. (Mayor) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

090551 [April 2009 report by the Community Based Organizations (CBO) Task Force "Partnering with Nonprofits in Tough Times"]

Hearing on the April 2009 report produced by the Community Based Organizations (CBO) Task Force "Partnering with Nonprofits in Tough Times," which reviews, analyzes and outlines reform of Department of Public Health's (DPH) nonprofit relationships. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090552 [Public Utilities Commission Proposed Rates, Fees and Charges]

Hearing on the proposed water rate package, including proposed increases set to take effect on July 1, 2009. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Subcommittee.

090553 [Status of unsolved homicides in the City and County of San Francisco]

Hearing and general discussion on the status of unsolved homicides in the City and County of San Francisco. The hearing shall include a presentation by the San Francisco Police Department (SFPD) on the number of unsolved homicides for at least the last five years. Without discussing the specifics of individual cases, the hearing shall include a general discussion and presentation on the SFPD's protocols and procedures regarding unsolved homicides, including, without limitation, SFPD's protocols and procedures when interacting with the families and loved ones of homicide victims. Supervisor Campos presented. RECEIVED AND ASSIGNED to Public Safety Committee.

Motions

090545 [Concurring in Declaration of Emergency]

Motion concurring in the April 30, 2009, declaration of local emergency by the Mayor, and in the actions the declaration of emergency authorizes the City and its officers and employees to take to meet the emergency. Mayor, Supervisor Chiu presented. APPROVED.

- 090565 [Update on labor negotiations concerning City workers from the Mayor's Office and the Department of Human Resources]
Motion that the Board of Supervisors convene in closed session on May 12, 2009, with the Mayor's Office and the Department of Human Resources concerning negotiations with labor unions representing City workers. Supervisor Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

- 090479 [Accept and Expend - U.S. Department of Housing and Urban Development Grant - \$3,000,000]
Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend a grant from the U.S. Department of Housing and Urban Development for lead-based paint hazard reduction in a total amount not to exceed \$3,000,000. Mayor, Supervisor Duffy presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090497 [Appointment - Treasury Oversight Committee]
Resolution appointing Dr. Don Griffin, Ben Rosenfield, Joseph Grazioli, Todd Rydstrom, and Richard Sullivan, terms ending June 5, 2013, to the Treasury Oversight Committee. (Treasurer-Tax Collector) . RECEIVED AND ASSIGNED to Rules Committee.
- 090498 [Approval of a contract amendment with the University of the Pacific School of Dentistry in order to exercise a five year contract option to continue to provide dental services for residents of Laguna Honda Hospital]
Resolution authorizing the San Francisco Department of Public Health (DPH), to amend a contract in order to exercise a five year contract option with The University of the Pacific School of Dentistry for continued dental services at Laguna Honda Hospital for a new term of July 1, 2004, through June 30, 2014. (Public Health Department) . RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090499 [Ratification of increases to prior professional service contracts for health and behavioral health services]
Resolution approving amendment to Resolution No. 702-06, which ratified prior professional service contracts for the San Francisco Department of Public Health for health and behavioral health services and approved three year extensions, to increase the total contract amounts and extend the terms of those contracts through December 31, 2010. (Public Health Department) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – May 5, 2009

Board Minutes for April 7, 2009 approved.

Requests Granted

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft an amendment to the Administrative Code that would prohibit City employees who affect governmental decisions from raising funds on behalf of organizations that make grants to City departments.

From: Supervisor Alioto-Pier

To: City Attorney

Requesting/Inquiring: Requesting a memo from the City Attorney's Office on whether the Board of Supervisors can transfer the Francisco Reservoir out of the jurisdiction of the Public Utilities Commission to another City department. The City and County of San Francisco acquired approximately 4 acres of land known as the Francisco Reservoir in 1930 from Spring Valley Water Company, which land is bordered by Hyde, Larkin and Bay Street and homes on Chestnut Street. The property under the jurisdiction of the Public Utilities Commission was transferred to its predecessor, the San Francisco Water Department for use as a reservoir without any payment to the City.

From: Supervisor Alioto-Pier

To: Director, Public Utilities Commission

Requesting/Inquiring: Inquiring to the PUC regarding the costs of removing the Francisco Reservoir so that it can be developed into a public recreation site, including any information on environmental concerns and possible toxins at the site and the cost of demolishing and removing the current Reservoir.

From: Supervisors Avalos, Campos, and Maxwell

To: Director, Public Utilities Commission

Requesting/Inquiring: Supervisors Avalos, Campos, and Maxwell are jointly requesting a report from the SFPUC on the criteria they use to prioritize neighborhood scale capital projects, including any point system that may be used to determine priority for infrastructure improvements on PUC and City property within the City and County of San Francisco such as requests for additional lighting installations and/or upgrades.

This inquiry is in connection to implementation of a framework for health impact mitigation efforts between DPH, SFMTA, and the local community as urged through BOS resolution #081397 "Health Protective Truck Route Planning in

Southeast Neighborhoods" and the desire to develop health impact criteria within other targeted city agencies.

Please send your response attention to all three requesting Supervisors.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore and Post

Southwest corner of Divisadero and Sutter

9th Avenue and Judah (near bus stops)

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore

Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Irving and 9th Avenue

Irving and 7th Avenue

Southwest corner of Haight and Clayton

Southeast corner of Haight and Masonic

Examiner

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

SF Daily

Northwest corner of Hayes and Gough

City Star

Northwest corner of Hayes and Gough

Southeast corner of Fillmore and Haight

SF Weekly

Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes

Southeast corner Golden Gate & Scott

Southwest corner Stanyan and Haight

Northeast corner McAllister and Scott

Bus Shelters

Southwest corner Pierce & Haight

Southside of street at Haight & Buena Vista West

Fillmore and Haight (all 4 bus stops, graffiti and grime)

Emergency Boxes

Southwest corner Golden Gate and Gough

In Memoriams

Michael Miller – Supervisor Campos

Edward F. McHugh – Supervisor Dufty

Michael Patrick O'Donnell – Supervisor Dufty

Dorothy Kays – Supervisor Elsbernd

Al Robles – Supervisors Mar, Chiu, Daly, Avalos

BOARD of SUPERVISORS



City Hall
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San Francisco, CA 94102-4689
Tel. No. 554-5184
TDD No. 554-5227

**Legislation Introduced
Including All Off-Calendar Items
May 12, 2009**

OFF-AGENDA LEGISLATION

**GOVERNMENT
DOCUMENTS DEPT**

MAY 14 2009

**SAN FRANCISCO
PUBLIC LIBRARY**

Introduced by Supervisors or Mayor

Ordinances

090583 [Just cause eviction protections for residential tenants, extend to non-rent controlled units]

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Sections 37.2 and 37.3 to extend just cause eviction requirements and protections to tenants in units that are not now subject to eviction controls (i.e., most residential rental units with a certificate of occupancy issued after June 13, 1979); and by amending Chapter 37A "Rent Stabilization and Arbitration Fee" by amending Section 37A.1 to extend the City's current residential rental unit fee to these units. Supervisor Avalos presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090584 [Requiring Lighting Efficiency Measures in Commercial and City Buildings]

Ordinance amending the San Francisco Building Code by adding a new Chapter 13D to require commercial buildings to increase efficiency of fluorescent lighting by 2011; amending Section 705 of the Environment Code to require City-owned facilities to increase efficiency of fluorescent lighting; adopting findings required by California Health and Safety Code Section 17958.7 and environmental findings; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage. Supervisor Duffy presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090585 [Safe Streets and Road Repair General Obligation Bond Election - \$368,000,000]

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 3rd 2009, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$368,000,000 to finance the resurfacing of roads, repair of sidewalks and street structures, and the redesign of streetscapes to include curb ramps and other pedestrian safety features and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that the proposed bond is not a project under the California Environmental Quality Act, ("CEQA"); finding that the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 – 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code. Mayor, Supervisors Chiu, Dufty, Mar, Alioto-Pier, Campos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090587 [Appropriating \$14,152,000 to support cost overruns at San Francisco General and Laguna Honda Hospitals in the Department of Public Health for Fiscal Year 2008-2009]

Ordinance appropriating \$14,152,000, including \$12,051,000 from surplus hospital revenues at San Francisco General Hospital, \$1,891,000 from surplus Department of Public Health General Fund revenues, and \$210,000 from surplus hospital revenues at Laguna Honda Hospital, for cost overruns at San Francisco General Hospital and Laguna Honda Hospital in the Department of Public Health for Fiscal Year 2008-2009. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090588 [Building Code - fee adjustment]

Ordinance amending the Building Code to amend various sections and fee schedule tables concerning fees, permits requirements and terms, inspections, and other actions; and adopting environmental findings. Mayor, Supervisor Chiu presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090589 [Electrical Code - permit expiration]

Ordinance amending Electrical Code Section 89.1.22 concerning permit expiration and partial refund of fees. Mayor, Supervisor Chiu presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090590 [Plumbing Code - permit expiration]

Ordinance amending Plumbing Code Section 103.3.4.1 concerning permit expiration and partial refund of fees. Mayor, Supervisor Chiu presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

090568 [Resolution of Intention to form the Excelsior Community Benefit District]

Resolution (1) declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "Excelsior Community Benefit District" and levy a multi-year assessment on identified parcels in the district, (2) approving the management district plan and engineer's report and proposed boundaries map for the district, (3) ordering and setting a time and place for a public hearing thereon, (4) approving the form of the Notice of Public Hearing and Assessment Ballots, and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

090569 [Resolution of Intention to renew the Union Square Business Improvement District, to be known as the Greater Union Square Business Improvement District]

Resolution (1) declaring the intention of the Board of Supervisors to renew the property-based Union Square business improvement district, to be known as the "Greater Union Square Business Improvement District," and to levy a multi-year assessment on identified parcels in the district; (2) approving the management district plan and engineer's report and proposed boundaries map for the district; (3) ordering and setting a time and place for a public hearing thereon; (4) approving the form of the Notice of Public Hearing and Assessment Ballots; and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

090586 [Safe Streets and Road Repair General Obligation Bonds]

Resolution determining and declaring that the public interest and necessity demand the resurfacing of roads, repair of sidewalks and street structures, and the redesign of streetscapes to include curb ramps and other pedestrian safety features and the payment of related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of \$368,000,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; finding that the proposed bond is not a project under the California Environmental Quality Act, ("CEQA"); finding the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and waiving the time limits set forth in Administrative Code section 2.34. Mayor, Supervisors Chiu, Duffy, Mar, Alioto-Pier, Campos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090591 [Lyme Disease Awareness Month - May 2009]

Resolution declaring May 2009 as Lyme Disease Awareness Month. Supervisors Alioto-Pier, Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090592 [Opposing the elimination of the State Department of Boating and Waterways]

Resolution opposing Governor Arnold Schwarzenegger's proposed elimination of the California Department of Boating and Waterways (DBW). Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090593 [Commending Community Behavioral Health Services (CBHS)]

Resolution commending Community Behavioral Health Services (CBHS) on its exemplary work implementing the Mental Health Services Act (MHSA). Supervisor Avalos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090594 [Supporting recognition of married same-sex couples in the 2010 Census.]

Resolution calling for the recognition of legally married same-sex couples in the 2010 Census and for federal agencies to include lesbian, gay, bisexual and transgender individuals in all federal surveys and data collection. Mayor, Supervisors Duffy, Mirkarimi, Mar, Elsbernd, Campos, Alioto-Pier, Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

090580 [Assessment of City's overall victims' assistance, witness protection and trauma recovery services]

Hearing request on assessment of City's overall victims' assistance, witness protection and trauma recovery services, including assessment of service coverage and gaps as well as overall coordination of victims' and trauma recovery services. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Public Safety Committee.

090581 [San Francisco Unified School District's policies to make college a more viable option for every student]

Hearing on the San Francisco Unified School District's policies designed to make college a more viable option for every student. The hearing will examine efforts to align the District's graduation requirements with the A-G course sequence, which is required for admission to California public universities. The hearing will address the district's efforts to meet these expectations, particularly with respect to learning support, professional development, and the realignment of resources. Supervisor Elsbernd presented. RECEIVED AND ASSIGNED to City and School District Select Committee.

090582 [Civil Grand Jury Report entitled "The Numbers Have Something to Say, Is Anybody Listening? Performance Measurement (PM) in San Francisco City Government"]

Hearing before the Government Audit and Oversight Committee regarding Civil Grand Jury Report entitled: "The Numbers Have Something to Say, Is Anybody Listening? Performance Measurement (PM) in San Francisco City Government." Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

090501 [Settlement of Lawsuits - Transdyn/Cresci Joint Venture totaling \$5,923,143.27]

Ordinance authorizing settlement of lawsuits filed by Transdyn/Cresci Joint Venture ("Joint Venture") against the City and County of San Francisco (the "City") seeking an unspecified amount of damages; the first lawsuit was filed by JMB Construction, Inc. against the Joint Venture on May 28, 2003 as JMB Construction, Inc. v. Transdyn/Cresci Joint Venture et al. Various cross-actions were filed, including an action filed by the Joint Venture against the City. The actions were coordinated as the SCADA cases in Alameda County Superior Court, JCCP 004364. The action between the Joint Venture and the City went to trial. The jury awarded a net judgment to the Joint Venture, and the trial court entered judgment (including costs) against the City in the amount of \$4,874,200.16. Cross-appeals were filed by both the Joint Venture and the City. The material terms of this settlement are: 1) The City will pay a total of \$4,973,143.27 to the Joint Venture for the judgment and interest on the judgment; and 2) The City will pay \$950,000 to settle all remaining issues, including the Joint Venture's claim for attorney's fees. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

090500 [Approval of settlement for 800 MHz reconfiguration with Sprint/Nextel]

Resolution approving a settlement of a claim by the City and County of San Francisco against the Sprint/Nextel Corporation (Sprint) for the reconfiguration of the City's 800 MHz Radio Communications System. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

Clerk to Act – May 12, 2009

Board Minutes for April 14, 2009 approved.

Requests Granted

From: Supervisor Dufty

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation to increase the fine for fare evasion on Muni from \$50 to \$75.

And also to establish that a second offense will be cited with up to a \$250 fine and a third offense up to \$500 fine.

From: Supervisor Dufty

To: Controller, Controllers Office

Requesting/Inquiring: Supervisor Dufty inquires that the Controllers office investigates the current cost of utility undergrounding in the City and County of San Francisco, which has been estimated at \$7 million per mile.

The Controller's office should provide information on what options exist to lower the cost per mile for undergrounding by recommending greater efficiencies such as the possibility of competitively bidding the City's undergrounding projects instead of the current situation in which undergrounding projects are completed by the electric utility that controls the contracting process.

In addition, the Controller's office should consider whether a continuous audit and ongoing oversight could increase efficiency and lower the cost-per-mile for undergrounding in San Francisco.

The Controller's office should also consider whether undergrounding utilities in San Francisco should be prioritized and included in the scope of work when streets are being re-paved, having the gas lines replaced or when a street is part of any other street improvements in which undergrounding could be added.

From: Supervisor Elsbernd

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft a Charter Amendment eliminating the current non-negotiable wage formula for MUNI operators and removing human resources responsibilities from MTA and delegating such responsibilities to the Department of Human Resources.

From: Supervisor Mirkarimi

To: City Attorney

To: Controller

Requesting/Inquiring: Supervisor Mirkarimi request the City Attorney and Controller to opine on the process for selling the City-owned Combustion Turbines (Previously proposed to be utilized to construct power plants in the City and at the airport aka Peaker Plants) and applying the proceeds of such sale toward City contracted renewable energy installations.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Alamo Square Bulletin Board

Garbage Cans

Northwest corner Haight & Fillmore

Southeast corner Turk & Pierce

Southeast Page & Fillmore

Northeast Waller & Scott

Mailboxes

Northeast corner Laguna & Fulton

Southeast corner Gough & Grove

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following location: On Fulton, East of Masonic, on South side of street.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

99 Haight

399 Grove

161 Pierce

1401 Haight

485 Scott

478-484 Haight

255 Steiner

378 Fillmore

400 Fillmore

959 Haight

1305 Haight

420 Haight

799 Haight

681 Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Pole

In front of 555 Haight

Northwest corner Fulton & Clayton

Northwest corner Oak & Scott

Northeast corner Divisadero & Fell

Southeast corner Divisadero & Haight (near bus shelter)

In front of 355 Fulton

Wood Pole

Northeast corner Waller & Steiner

Southeast corner Steiner & Germania

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property at the following locations:

Utility Boxes

Southeast corner Divisadero & Fulton

Southwest corner Scott & Haight

Near 1213 Fell

Northeast corner Waller & Scott

Bus Shelters

Southeast corner Haight & Buena Vista West

Northeast corner Haight & Buena Vista East

Southeast corner Buchanan & Haight

Southside of street @ Haight & Buena Vista West

Fillmore and Haight (all 4 bus stops, graffiti and grime)

Emergency Boxes

Northeast corner Divisadero & Fell

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstand at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore and Post
Southwest corner of Divisadero & Sutter
9th Avenue & Judah (near bus stops)
7th Avenue & Irving (near bus stops)
Northwest corner of Hayes & Fillmore
Southeast corner of Fillmore & Haight

San Francisco Chronicle

Northwest corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore
Irving & 9th Avenue
Irving & 7th Avenue
Southwest corner of Haight & Clayton
Southeast corner of Haight & Masonic

Examiner

Northwest corner of Fillmore & Hayes
Southeast corner Haight & Fillmore

SF Daily

Northwest corner Hayes & Gough

City Star

Northwest corner of Hayes & Gough
Southeast corner of Fillmore & Haight

SF Weekly

Southeast corner of Masonic & Haight and Southeast corner Haight & Fillmore

In Memoriams

Rosalie Taggi – Supervisor Chiu
Francis E. Fee – Supervisors Chu and Elsbernd
Thomas P. Alexander – Supervisor Dufty
Daniel Otto Scharetg – Supervisor Dufty
Antoinette "Toni" Longa – Supervisor Dufty
Lieutenant Oscar Tully – Supervisor Dufty
Yale Howard Smulyan – Supervisor Dufty

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**Legislation Introduced
Including All Off-Calendar Items
May 19, 2009**

OFF-AGENDA LEGISLATION

**GOVERNMENT
DOCUMENTS DEPT**

MAY 22 2009

**SAN FRANCISCO
PUBLIC LIBRARY**

Introduced by Supervisors or Mayor

Ordinances

- 090627** [Extending the duration of the Film Rebate Program and limiting the rebate available to film productions for police services]
Ordinance amending Administrative Code Section 57.8 by extending the Film Rebate Program through June 30, 2012, and modifying the definition of "qualified production cost" to in order limit rebates available to film productions for the use of certain police services. Supervisors Alioto-Pier, Dufty presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090631** [Recreation and Park Department - Renaming Candlestick Park]
Ordinance amending San Francisco Administrative Code Section 4.24 to allow the Recreation and Park Department to enter into an agreement for the naming of City-owned sports stadium located at Candlestick Point, and to use fifty percent of the revenue from the agreement to fund recreation center directors. Supervisors Dufty, Elsbernd presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090639** [MOU, Amendment #2 - Union of American Physicians and Dentists (Unit 11-AA)]
Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA) by extending the term of the parties' Agreement through June 30, 2011, and by implementing specified terms and conditions of employment for fiscal years 2009-2010 and 2010-2011. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090640** [MOU, Amendment #1 - Multiple Unions (Crafts Coalition)]
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Bricklayers and Allied Crafts, Local 3; Hod Carriers, Local 166; Building Inspectors' Association; The Northern California Carpenters Regional Council, Local 22; Carpet, Linoleum and Soft Tile Workers, Local 12; Cement Masons, Local 300; Glaziers, Architectural Metal and Glass Workers, Local Union No. 718; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artist and Allied Crafts of the United States, Its Territories and Canada, Local 16; International Association of Bridge, Structural, Ornamental, Reinforcing Iron Workers, Riggers and Machinery Movers, Local 377; Auto, Marine and Specialty Painters, Local Union No. 1176; Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34; Plasterers and Shophands, Local 66; United Union of Roofers, Waterproofers and Allied Workers, Local 40; Sheet Metal Workers International Union, Local 104; Teamsters, Local 853, by extending the term of the parties' Agreement through June 30, 2010, and by implementing specified terms and conditions of employment for fiscal year 2009-2010. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 090641 [MOU, Amendment #1 - San Francisco Institutional Police Officers' Association]
Ordinance adopting and implementing the mediated settlement that establishes Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Institutional Police Officers' Association, by extending the term of the parties' Agreement through June 30, 2010, and by implementing specified terms and conditions of employment for fiscal year 2009-2010. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090642 [MOU - International Brotherhood of Electrical Workers Local Union 6, AFL-CIO]
Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers Local Union 6, AFL-CIO, to be effective July 1, 2009, through June 30, 2010. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090643 [MOU, Amendment #1 - Municipal Executives' Association Fire]
Ordinance adopting and implementing Amendment #1 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Fire by implementing specified terms and conditions of employment for fiscal years 2009-2010 and 2010-2011. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090644 [MOU, Amendment #1 - Municipal Executives' Association Police]
Ordinance adopting and implementing Amendment #1 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Police by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for fiscal years 2009-2010, 2010-2011, and 2011-2012. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090645 [MOU, Amendment #1 - San Francisco Police Officers' Association (P1 and P2A)]
Ordinance adopting and implementing Amendment #1 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (P1 and P2A) by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for fiscal years 2009-2010, 2010-2011, and 2011-2012. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090646 [MOU, Amendment #1 - San Francisco Police Officers' Association (P2-B)]
Ordinance adopting and implementing Amendment #1 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (P2-B) by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for fiscal years 2009-2010, 2010-2011, and 2011-2012. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090647 [MOU, Amendment #1 - Transport Workers Union of America, AFL-CIO, Local 250-A (Non-MTA 7410)]
Ordinance adopting and implementing the modified arbitration award that establishes Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 250-A (Non-MTA 7410), by extending the term of the parties' Agreement through June 30, 2010, and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090648 [MOU, Amendment #1 - Transport Workers Union of America, AFL-CIO, Local 250-A (Multi-Unit)]
Ordinance adopting and implementing the modified arbitration award that establishes Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 250-A (Multi-Unit), by extending the term of the parties' Agreement through June 30, 2010, and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

090649 [MOU, Amendment #3 - Union of American Physicians and Dentists (Unit 8-CC)]

Ordinance adopting and implementing Amendment #3 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC) by extending the term of the parties' Agreement through June 30, 2011, and by implementing specified terms and conditions of employment for fiscal years 2009-2010 and 2010-2011. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

090650 [Unrepresented Employees]

Ordinance Fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2009. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

090402 [Zoning - New Controls for Massage Establishments]

Ordinance amending Planning Code Sections 790.60, 890.60 and 218.1 to restrict permitted accessory massage uses and to make all other massage establishments, as defined, except chair massage in plain view of the public, subject to a conditional use permit; amending Planning Code Section 303 to list additional criteria for the Planning Commission to consider when analyzing conditional use applications for massage establishments; amending the tables at Sections 218.1, 714.1, 715.1, 810.1, 811.1, and 812.1, to change massage establishments from a permitted use to a conditional use in the PDR 1, or Light Industrial Buffer, and PDR 2, or Production, Distribution, and Repair Districts, and in the Broadway Neighborhood Commercial District, the Castro Neighborhood Commercial District, and the Chinatown Mixed Use Districts; amending Planning Code Sections 790.114 and 890.114, to add massage establishments that employ only state-certified massage practitioners to the definitions of Medical Services in the Neighborhood Commercial Districts and Mixed Use Districts, respectively; and adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. Mayor, Supervisors Chu, Chiu presented. ASSIGNED to Land Use and Economic Development Committee. SUBSTITUTE

Resolutions

090628 [Accept and Expend Grant - Department of Public Health - \$200,000]

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$200,000 from the Metta Fund to support the Healthy San Francisco (HSF) program evaluation for the period of April 29, 2009, through April 28, 2011. Supervisor Campos presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090629 [Accept and Expend Grant - Department of Public Health - \$50,000]

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$50,000 from the Commonwealth Fund to support the Healthy San Francisco program evaluation for the period of March 1, 2009, through February 28, 2010. Supervisor Campos presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090630 [Maintenance Agreement with Caltrans for various locations throughout the City]

Resolution approving a Maintenance Agreement between the City and County of San Francisco and the State of California Department of Transportation (Caltrans) concerning maintenance work to be performed by the City in the State right-of-way at Junipero Serra Boulevard, Nineteenth Avenue, Cross-Over Drive, By-Pass Drive, Park Presidio Boulevard, Skyline Boulevard, Sloat Boulevard, James Lick Freeway, San Jose Avenue, Bayshore Freeway, Central Freeway, Mission Street, South Van Ness Avenue, Van Ness Avenue, Lombard Street, Richardson Street, Southern Freeway and ratifying certain actions in connection with this Resolution. Supervisor Chu presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090632 [Accept and Expend Grant - Department of Public Health - \$102,421]

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend funds from the Foundation for AIDS Research (amfAR) in the amount of \$102,421 to support the HIV Epidemiology project entitled "Assessing internet users preferences for structural and network interventions;" for the period of January 1, 2009, through December 31, 2009. Supervisor Duffy presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 090633 [Contract with Titan Outdoor for advertising on San Francisco Municipal Transportation Agency (SFMTA) vehicles and other property]
Resolution authorizing the San Francisco Municipal Transportation Agency (SFMTA) to execute a transit advertising contract with Titan Outdoor LLC, for a term commencing July 1, 2009, and ending June 30, 2014, which offers a minimum guarantee to the SFMTA of \$22,102,525 over the term of the contract. Supervisor Duffy presented. RECEIVED AND ASSIGNED to Budget and Finance Subcommittee.
- 090634 [Accept and Expend Federal Grant - Airport Commission - \$203,000]
Resolution authorizing the Airport Commission to retroactively accept and expend funding in a total amount of \$203,000 from the Transportation Security Administration ("TSA") for the Airport K-9 Explosives Detection Team Program. Supervisor Elsernd presented. RECEIVED AND ASSIGNED to Public Safety Committee.
- 090635 [Accept and Expend Federal Grant - Airport Commission - \$350,500]
Resolution authorizing the Airport Commission to retroactively accept and expend funding in a total amount of \$350,500 from the Transportation Security Administration ("TSA") for the Airport K-9 Explosives Detection Team Program. Supervisor Elsernd presented. RECEIVED AND ASSIGNED to Public Safety Committee.
- 090636 [CEQA Findings and Approval of Real Property Agreements for SFPUC Water System Improvement Program San Andreas Pipeline No. 3 Installation Project beginning at the San Pedro Valve Lot (SPVL) in Daly City to Merced Manor Reservoir (MMR) in San Francisco]
Resolution adopting findings under the California Environmental Quality Act ("CEQA"), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the San Andreas Pipeline No.3 Installation Project, CUW 37901; directing the Clerk of the Board of Supervisors to notify the Controller of this action; making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1; authorizing the SFPUC General Manager to execute the necessary agreements and deeds with John Daly Boulevard Associates, L.P., Monarch Ventures, L.P., Wilbak Investments, L.P. (Westlake Associates) to modify, relocate and quitclaim certain easement rights in real property located in the Westlake Villas areas along Poncetia Drive between John Daly Boulevard and the north property line of Lake Merced Golf Club in the City of Daly City, and authorizing the SFPUC General Manager to execute the necessary agreements and deeds with Parkmerced Investors Properties, LLC (Parkmerced) to modify, relocate and quitclaim certain easement rights in real property located in the Parkmerced development from Brotherhood Way to 19th Avenue in the City and County of San Francisco. Supervisor Elsernd presented. RECEIVED AND ASSIGNED to Budget and Finance Subcommittee.
- 090637 [Professional services agreement to provide professional engineering services for SFPUC Calaveras Dam Project]
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute an amendment to increase the amount of a professional services agreement with URS Corporation by \$10,100,000 for a total revised agreement amount of \$24,000,000 and extend the agreement term by seven years for a total revised agreement term of thirteen years, pursuant to San Francisco Charter Section 9.118. Supervisor Elsernd presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090638 [Accept and Expend Grant - Department of Public Health - \$1,925,719]
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant from the California Department of Corrections and Rehabilitation (CDCR) in the amount of \$1,925,719 to expand the City's treatment capacity for mentally ill parolees; for the period of June 1, 2009, through June 30, 2012. Supervisor Maxwell presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 090651 [Memorandum of Understanding between the Treasure Island Development Authority and the Office of the City Administrator]
Resolution approving and authorizing the Treasure Island Development Authority to enter into a Memorandum of Understanding appointing the City, acting by and through the Office of the City Administrator, as its agent to provide the services to carry out the Authority's operations and provide oversight to the Treasure Island Project Office for the term beginning July 1, 2009. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 090652 **[First Amendment to Memorandum of Agreement Between the Treasure Island Development Authority and the San Francisco County Transportation Authority Relating to Yerba Buena Island Ramps]**
Resolution approving a First Amendment to the Memorandum of Agreement between the Treasure Island Development Authority and the San Francisco County Transportation Authority for project management services and consultant services for the preparation of a Project Report, Environmental Document and Project Engineering for the Yerba Buena Island Ramps in an amount not to exceed \$8,800,000. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090653 **[Accept and Expend State Grant - Fire Department - \$25,000]**
Resolution authorizing the San Francisco Fire Department to retroactively accept and expend a grant in the amount of \$25,000 from the State of California, Department of Fish and Game, Office of Spill Prevention and Response, to purchase oil spill response equipment. Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090654 **[Accept and Expend State Grant - Department of Public Health - \$2,672]**
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend a grant in the amount of \$2,672 from the California Department of Pesticide Regulation (CDPR) to support Pesticide Use Reporting; for the period of July 1, 2009, through June 30, 2010. Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090655 **[Commending Deputy City Attorney Jacqueline Minor]**
Resolution commending Jacqueline Minor for more than ten years of exemplary public service to San Francisco as a Deputy City Attorney on the Government Team, the Energy and Telecommunications Team and at the San Francisco Unified School District, and wishing her well in her future endeavors as General Counsel for the Oakland Unified School District. Supervisors Campos, Maxwell, Duffy, Elsbernd presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090656 **[Support for Citywide bicycle improvements]**
Resolution urging city departments to prioritize completion of the City Bike Plan and to work with appropriate decision makers to ensure the advancement of physical and policy improvements to encourage and boost bicycling for transportation. Supervisors Chiu, Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090657 **[Urging the San Francisco Municipal Transportation Agency Board of Directors to increase the fines for fare evasion for first, second and third time offenders]**
Resolution urging the San Francisco Municipal Transportation Agency Board of Directors to increase the fine for first time fare evasion from \$50 to \$75 and increase the fine for second time fare evaders to \$250 and increase the fine for third time fare evaders to \$500. Supervisors Duffy, Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090658 **[California State Budget - Opposing the use of additional local property tax funds]**
Resolution finding a severe fiscal hardship will exist if additional local property tax funds are seized and additional unfunded mandates are adopted by the State of California. Supervisors Maxwell, Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090659 **[Amendment to contract with AMEC Geomatrix, Inc.]**
Resolution approving an amendment to the contract with AMEC Geomatrix, Inc. to extend the term through June 30, 2010, and to increase the contract by an amount not to exceed \$180,000 for a new total amount not to exceed \$1,619,000 for environmental consulting services. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090660 **[Municipal Transportation Agency (MTA) Transit Justice Budget Alternative]**
Resolution urging the Municipal Transportation Authority (MTA) to adopt the Transit Justice Budget Alternative which proposes rollbacks on certain fare increases, restorations of specific service lines, and alternative revenue sources. Supervisor Avalos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 090569 [Resolution of Intention to renew the Union Square Business Improvement District, to be known as the Greater Union Square Business Improvement District]
Resolution (1) declaring the intention of the Board of Supervisors to renew the property-based Union Square business improvement district, to be known as the "Greater Union Square Business Improvement District," and to levy a multi-year assessment on identified parcels in the district; (2) approving the management district plan and engineer's report and proposed boundaries map for the district; (3) ordering and setting a time and place for a public hearing thereon; (4) approving the form of the Notice of Public Hearing and Assessment Ballots; and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law. Supervisor Chiu presented. ASSIGNED to Government Audit and Oversight Committee. SUBSTITUTE

Requests for Hearing

- 090625 [San Francisco Unified School District plans to spend the federal stimulus funds]
Hearing on how San Francisco Unified School District plans to spend the federal stimulus funds it will receive on Special Education services and programs. Supervisor Avalos presented. RECEIVED AND ASSIGNED to City and School District Select Committee.
- 090626 [San Francisco Municipal Transportation Agency's Bus Shelter Contract]
Hearing to discuss the compliance of the San Francisco Municipal Transportation's Bus Shelter Contract. Supervisor Mar presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Charter Amendments

- 090605 [Charter Amendment - Providing that three members of the Municipal Transportation Agency Board of Directors shall be nominated by the Mayor, three shall be nominated by the President of the Board of Supervisors and one shall be elected by the people]
Charter Amendment (First Draft) to amend Sections 8A.102 and 15.105 to split the appointments to the San Francisco Municipal Transportation Agency Board of Directors so that three members are nominated each by the Mayor and the President of the Board of Supervisors and that one member is elected by vote of the people. Supervisors Avalos, Mar, Campos presented. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 090606 [Charter Amendment - Eliminating the 48.7-hour limit on the work week for firefighters]
Charter Amendment (First Draft) to amend Section A8.452 to: (1) eliminate the 48.7-hour limitation on the work week for uniformed officers and member of the Fire Department, (2) establish a work week of at least 52 hours, on an annualized basis, for uniformed officers and members assigned to fire fighting companies and units, with the minimum 52-hour work week requirement to be effective for any amendment or extension to the Memorandum of Understanding (MOU) between the City and County of San Francisco (City) and the San Francisco Fire Fighters Union Local 798 (Union) in effect July 1, 2007 through June 30, 2011, and for the successor MOU and each MOU between the City and Union thereafter, and (3) eliminate superseded language setting holiday schedule and compensation requirements for firefighters; and by adding Section A8.590-9 to provide that the work week for firefighters assigned to fire fighting companies and units shall be governed by Section A8.452 and not be subject to binding interest arbitration under Charter Section A8.590-5. Supervisor Avalos presented. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 090607 [Charter Amendment - Requiring adequate taxi service, protecting public ownership of taxi medallions, and ensuring the welfare of taxi drivers]
Charter Amendment (First Draft) to add Section 8A.106 requiring adequate taxi service, protecting public ownership of taxi medallions, and ensuring the welfare of taxi drivers. Supervisor Daly presented. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 090608 [Charter Amendment - Allowing the Board of Supervisors to designate certain appropriations as mandates to expend the money appropriated]
Charter Amendment (First Draft) to amend Section 9.103 to allow the Board of Supervisors to mandate the expenditure of identified appropriations for particular programs or activities, and requiring the relevant City departments to report to the Board on their plans for expenditure of the money appropriated. Supervisor Daly presented. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

- 090609 [Charter Amendment - Establishing a Community Development Commission]
Charter Amendment (First Draft) to add Section 4.136 to the Charter to establish a Community Development Commission. Supervisor Daly presented. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 090622 [Charter Amendment - Instituting two-year budgetary cycle, providing for the adoption of a five-year financial plan, and imposing a deadline of June 30 for approval of MOUs for miscellaneous and safety employees]
Charter Amendment (First Draft) to amend Sections 2.103, 2.108, 2.117, 3.105, 9.100, 9.101, 9.102, 9.103, 9.104, 9.113, 9.113.5, 9.114, 11.100, A8.409-4, A8.590-5, A8.590-8, 16.112, and Article XVII, and adding Sections 9.119, 9.120, and 9.121 to institute a "rolling" two-year budgetary cycle (the City would adopt a new two-year budget each year), allow the Board of Supervisors to convert the rolling two-year budgetary cycle for some or all departments into a "fixed" two-year cycle (each two-year budget would stay in effect for two years), impose a deadline of June 30th for the Board of Supervisors to approve or adopt new terms and conditions of employment for miscellaneous or safety employees if those terms and conditions are to be effective during the upcoming fiscal year, require that City departments, including the Board of Supervisors, post various notices on the departments' websites and eliminate the requirement that the departments publish such notices in the City's official newspaper, and allow the Controller to certify the availability of funds based on the expectation that funds will become available during the course of the budgetary cycle. Mayor, Supervisors Chiu, Mirkarimi, Avalos, Campos presented. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 090623 [Charter Amendment - Creating an Office of Management and Budget led by a Director who shall serve a ten-year term, mandating a two-year budgetary cycle, and requiring the Board of Supervisors to adopt a five-year financial plan]
Charter Amendment (First Draft) to amend Sections 2.117, 16.123, 16.123-7, 16.123-8, A8.409-4, 9.100, 9.101, 9.102, 9.103, 9.104, 9.113, 9.113.5, and 9.114, to create an Office of Management and Budget and provide that the Director of that Office shall be appointed by the Mayor and confirmed by the Board of Supervisors to a ten-year term, institute a two-year budgetary cycle for all City departments, and require the City to adopt a five-year financial plan. Supervisor Duffy presented. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 090624 [Charter Amendment - Setting Transit Operator Wages and Benefits Solely Through Collective Bargaining]
Charter Amendment (First Draft) to amend Sections 8A.104, A8.409-1, A8.409-4 and A8.428 and deleting Section A8.404 of the Charter to eliminate the formula setting a floor for transit operator wages and providing that wages and benefits for transit operators shall be set through collective bargaining and that any impasse in collective bargaining shall be resolved through interest arbitration. Supervisor Elsbernd presented. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

- 090575 [Hunters View - Street Vacation Order]
Ordinance ordering the vacation of portions of Fairfax Avenue and West Point Road and various public service easements; making environmental findings and findings of consistency with the City's General Plan and the priority policies of Planning Code Section 101.1; quitclaiming the City's interest in the vacation areas; reserving easement rights for various utilities, including AT&T, Pacific Gas and Electric Company, and the City; reserving temporary private access easement to adjacent owner; accepting Department of Public Works Order No. 178,144; and authorizing official acts in connection with this Ordinance. (Public Works Department). RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 090595 [Settlement of Lawsuit - Daniel Alvarenga - \$82,500]
Ordinance authorizing settlement of the lawsuit filed by Daniel Alvarenga against the City and County of San Francisco for \$82,500; the lawsuit was filed on May 11, 2007, in the United States District Court for the Northern District of Illinois, Case No. C07-02526 MEJ, entitled Daniel Alvarenga v. City and County of San Francisco et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

- 090573 [Approving Modification to the Cooperative Agreement between the Treasure Island Development Authority and the U.S. Navy]
Resolution approving and authorizing the Treasure Island Development Authority to enter into a Modification to the Cooperative Agreement with the U.S. Navy to extend the Cooperative Agreement from October 1, 2009, to September 30, 2010. (Treasure Island Development Authority) . RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090574 [Hunters View - Resolution of Intent for Street Vacation]
Resolution declaring the intention of the Board of Supervisors to vacate portions of Fairfax Avenue and West Point Road and various public service easements in the Hunters View Project; setting a hearing date for all persons interested in the proposed vacation of said street areas. (Public Works Department) . RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 090579 [Approval of three contracts for the Department of Public Health totaling \$84,322,248]
Resolution authorizing the San Francisco Department of Public Health to enter into three contracts providing mental health and substance abuse counseling services for clients enrolled in the CalWORK's Welfare to Work Program; integrated substance abuse, mental health and medical services for clients in the Opiate Treatment Program; and fiscal intermediary services related to the San Francisco Mental Health Plan's for Community Behavioral Health Services (CBHS), Residential Care Facilities, Private Provider Network, Mental Health Wraparound Services, and Department's Housing and Urban Health's Emergency Housing Program for the terms of July 1, 2009, through June 30, 2013, and July 1, 2009, through June 30, 2012. (Public Health Department) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – May 19, 2009

Board Minutes for April 21, 2009 and April 28, 2009 approved.

Requests Granted

From: Supervisor Campos

To: Director, San Francisco Airport

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Requesting a list of contracts under \$10 million issued by the Airport and the San Francisco Municipal Transportation Agency in fiscal years 2007-08, 2008-09, and 2009-10.

From: Supervisors Dufty and Maxwell

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney's office work with DPW, and the Recreation and Park Department to draft legislation that would enable DPW to accept street maintenance responsibility for the streets that form the perimeter of Candlestick Park.

The legislation will delineate the existing street maintenance obligations for the following street in the vicinity of Candlestick Park.

Jamestown from Coronado to Hunter's Point Expressway
Hunter's Point Expressway from Harney to Donhue/Gilman
Gilman from Donhue to Giants Drive
Giants Drive from Gilman to End at ballpark
Ingerson from Griffith to Coronado

In addition, the legislation will modify street maintenance responsibilities and accept these streets for maintenance by DPW and if necessary, effectuate any street vacation or other City action required to effectuate the intent of this legislation.

From: Supervisor Elsbernd

To: Director, Department of Technology

Requesting/Inquiring: Inquiring as to the receipt by the Department of Technology of funding for cable access operations from Comcast Corporation, which was discussed at the May 19, 2009 Board of Supervisors meeting. Furthermore, Supervisor Elsbernd request that the Board of Supervisors be notified upon receipt of this funding.

In Memoriams

Brian O'Neill – Entire Board

James Kessler – Supervisor Alioto-Pier
Marlon Del Cid Mayorga Guadamuz – Supervisor Avalos
John Stearns – Supervisor Chiu
Jake Robert Velloza – Supervisor Difty
Jamie Gross – Supervisor Duffy
Helen Canafax – Supervisor Duffy
Mary Portman – Supervisor Elsbernd
Thaddoues George Johnson, Sr. – Supervisor Maxwell

BOARD of SUPERVISORS



City Hall
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San Francisco, CA 94102-4689
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**Legislation Introduced
Including All Off-Calendar Items
June 2, 2009**

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

GOVERNMENT
DOCUMENTS DEPT

JUN - 5 2009

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090673 [MOU, Amendment #1 - Transport Workers Union of America, AFL-CIO, Local 200]

Ordinance adopting and implementing the mediated settlement that establishes Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 200, by extending the terms of the parties' Agreement through June 30, 2010, and by implementing specified terms and conditions of employment for fiscal year 2009-2010. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

090674 [MOU, Amendment #1 - San Francisco Deputy Probation Officers' Association]

Ordinance adopting and implementing the mediated settlement that establishes Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Probation Officers' Association, by extending the term of the parties' Agreement through June 30, 2010, and by implementing specified terms and conditions of employment for fiscal year 2009-2010. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

090675 [MOU, Amendment #1 - Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, Supervising Probation Officers]

Ordinance adopting and implementing the Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, Supervising Probation Officers, by extending the term of the parties' Agreement through June 30, 2010, and by implementing specified terms and conditions of employment for fiscal year 2009-2010. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

090676 [MOU, Amendment #3 - Service Employee International Union, Local 1021]

Ordinance adopting and implementing Amendment #3 to the 2006-2010 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021 by extending the term of the parties' Agreement through June 30, 2011, and by implementing specified terms and conditions of employment for fiscal years 2008-2009, 2009-2010 and 2010-2011. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 090677 [MOU, Amendment #1 - Service Employee International Union, Staff Per Diem Nurses, Local 1021]**
Ordinance adopting and implementing Amendment #1 to the 2007-2010 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021 Staff & Per Diem Nurses by extending the term of the parties' Agreement through June 30, 2011, and by implementing specified terms and conditions of employment for fiscal year 2009-2010 and 2010-2011. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090680 [MOU, Amendment #1 - District Attorney Investigators' Association]**
Ordinance adopting and implementing the mediated settlement that establishes Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the San Francisco District Attorney Investigators' Association, by extending the term of the parties' Agreement through June 30, 2011, and by implementing specified terms and conditions of employment for fiscal years 2009-2010 and 2010-2011. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090681 [MOU, Amendment #1 - Committee of Interns and Residents, Service Employee International Union]**
Ordinance adopting and implementing the mediated settlement that establishes Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the California Association of Interns and Residents/Committee of Interns and Residents, SEIU, by extending the term of the parties' Agreement through June 30, 2011, and by implementing specified terms and conditions of employment for fiscal years 2008-2009, 2009-2010 and 2010-2011. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090682 [MOU, Laborers International Union, Local 261]**
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local No. 261, to be effective July 1, 2009, through June 30, 2011. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090683 [MOU, Stationary Engineers, Local 39]**
Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the International Union of Operating Engineers Stationary Engineers, Local 39, to be effective July 1, 2009, through June 30, 2010. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090684 [MOU, Amendment #2 - Operating Engineers, Local 3]**
Ordinance adopting and implementing Amendment #2 to the 2006-2010 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090685 [MOU, Amendment #3 - San Francisco Municipal Attorneys' Association]**
Ordinance adopting and implementing Amendment #3 to the 2006-2010 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090686 [MOU, Amendment #2 - Machinists Union, Local 1414, International Association of Machinists & Aerospace Workers, Machinists Automotive Trades District Lodge 190]**
Ordinance adopting and implementing Amendment #2 to the 2006-2010 Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers by extending the term of the parties' Agreement through June 30, 2011, and by implementing specified terms and conditions of employment for fiscal years 2009-2010 and 2010-2011. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090687 [MOU, Amendment #3 - Municipal Executives' Association, Misc.]**
Ordinance adopting and implementing Amendment #3 to the 2006-2010 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association by extending the term of the parties' Agreement through June 30, 2011, and by implementing specified terms and conditions of employment for fiscal years 2009-2010 and 2010-2011. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 090688 [MOU, Amendment #2 - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]**
Ordinance adopting and implementing Amendment #2 to the 2006-2010 Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090689 [MOU, Amendment #2 - International Federal of Professional and Technical Employees, AFL-CIO, Local 21]**
Ordinance adopting and implementing the Amendment #2 to the 2006-2010 Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Employees, AFL-CIO, Local 21, by extending the term of the parties' Agreement through June 30, 2011, and by implementing specified terms and conditions of employment for fiscal years 2008-2009, 2009-2010 and 2010-2011. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090691 [Interim Consolidated Budget and Annual Appropriation Ordinance, Fiscal Year 2009-2010]**
Interim Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year June 30, 2010. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090692 [Interim Annual Salary Ordinance, Fiscal Year 2009-2010]**
Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2010, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090697 [Increasing Street Artist Certificate Fee]**
Ordinance amending Article 24 of the San Francisco Police Code by amending Section 2404.1 to increase the fee for a Street Artist Certificate and making environmental findings. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090698 [Fee Procedures and Adjustments]**
Ordinance amending the San Francisco Planning Code by amending Article 3.5 to increase fees to recover costs for monitoring conditions of approval and the General Advertising Sign Program; establish Code Enforcement violation penalties; modify refund procedures; modify the indigent fee waiver provision; clarify phased collections and payment deferment; establish a new processing fee for phased payments; and making Section 302 and environmental findings. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090699 [Code Enforcement Fund]**
Ordinance amending the San Francisco Administrative Code by amending Section 10.100-166 to expand the Planning Department's Code Enforcement Fund beyond general advertising signs and authorize the Fund to receive revenues from all types of code enforcement activities, including monetary judgments, and authorize expenditure of the funds for administration and enforcement of all Planning Code violations; amending the San Francisco Planning Code by amending Sections 303(l) and 358 to clarify that wall signs are included in the requirements; amending Sections 303(l) and 604.2 to delete the requirement to submit a site map, amending Section 358 to clarify use of the general advertising sign inventory fees and to make technical changes to the language of the section; amending Section 604.2 to provide that violation of the Code's general advertising sign inventory requirements is a public nuisance, to clarify that the definition of the term "general advertising sign company" includes the operator of the sign, to modify language required to be in the affidavit submitted with the sign inventory, to conform the penalty and appeal procedure with Section 610, and to make other clarifying and technical changes to the language of the section; adopting CEQA and Planning Code Section 302 findings. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090700 [Mental Health Services for the Indigent and Uninsured]

Ordinance amending S.F. Administrative Code Section 15.23 to maintain a single standard of care for the indigent and uninsured population who suffer from serious mental illness. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090701 [Patient Rates]

Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2009. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090702 [Emergency Medical Services Fees]

Ordinance amending the San Francisco Health Code by amending Section 901 and adding Section 914.5, and amending San Francisco Business and Tax Regulations Code Section 249.8, to amend definitions, add fees and a Certificate of Participation requirement for facilities that receive patients through ambulance service providers, and make environmental findings. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090703 [Chain Restaurant Surcharge]

Ordinance adding Section 249.21 to the Business and Tax Regulations Code to impose a surcharge on chain restaurants that qualify as food facilities under State law to recover the Department of Public Health's costs of enforcing California Health and Safety Code Sec. 114094 regarding disclosure of nutritional and calorie content information, add provisions for the Controller to adjust fees annually, and making environmental findings. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090704 [Fee for Public Administrator/Public Guardian Representative Payee Services]

Ordinance amending Sec. 2A.211-A of the S.F. Administrative Code to add a monthly fee of thirty five dollars for services provided by the Public Administrator/Public Guardian Representative Payee Program. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090705 [Fees for Fire Department Services and Permits - Fire Code]

Ordinance amending Sections 112.2, 112.3, 112.7, 112.8, 112.9, 112.10, 112.11, 112.15, 112.17, 112.18, 112.19 and Tables 112-A, 112-B and 112-C of Appendix Chapter 1 of the San Francisco Fire Code to increase fees for certain Fire Department services and permits and to add additional permits, to become operative on its effective date or on July 1, 2009, whichever is later, and making environmental findings. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090706 [Fees for Fire Department emergency medical services]

Ordinance amending Section 128.1 of the San Francisco Health Code to increase fees for Fire Department emergency medical services and to update the language regarding fee changes in subsequent fiscal years, and making environmental findings. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090707 [Increasing and establishing certain Fire Department licensing fees]

Ordinance amending Sections 90, 93, 93.1, 94, 120, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246 and 247 of the San Francisco Business and Tax Regulations Code to increase or establish and set licensing fees for certain permits issued by the Fire Department and adding Sections 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234 and 235 to establish and set fees for additional Fire Department licenses, to become operative on its effective date or on July 1, 2009, whichever is later, and making environmental findings. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090708 [Increasing Fire Department fees for street fairs]

Ordinance amending Section 6.6 of the San Francisco Transportation Code to increase fees for Fire Department services, permits and inspections related to street fairs, to become operative on its effective date or on July 1, 2009, whichever is later, and making environmental findings. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 090709 [Juvenile Probation Department-Daily Fee at Juvenile Hall and Log Cabin Ranch]**
Ordinance amending the San Francisco Administrative Code by adding Sections 10.39-5 and 10.39-6 to establish daily fees at Juvenile Hall and Log Cabin Ranch and to designate a Financial Evaluation Officer to evaluate ability of persons to pay such fees, to become operative on its effective date or on July 1, 2009, whichever is later, and making environmental findings. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090710 [Sale of combustion turbines]**
Ordinance authorizing the Public Utilities Commission, working in conjunction with the City Attorney, to sell the four combustion turbines transferred to the City as part of the Williams Settlement in a manner that maximizes the public benefits to the City consistent with the State Agreements. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090711 [Recreation and Park Department - Clubhouses and Gymnasiums Fees]**
Ordinance amending San Francisco Park Code, Article 12, by amending Section 12.21 to increase the fees at the Clubhouses and Gymnasiums, to eliminate the reservation fee and making environmental findings. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090712 [Recreation and Park Department - Aquatic Facilities Fees]**
Ordinance amending San Francisco Park Code, Article 12, by amending Section 12.40 to increase the fees at the Aquatic facilities and making environmental findings. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090713 [Recreation and Park-Day Camp Fees]**
Ordinance amending San Francisco Park Code, Article 12, by amending Section 12.15 to increase fees for Day Camps and making environmental findings. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090714 [Recreation and Park-Kezar Parking Lot Fees]**
Ordinance amending San Francisco Park Code, Article 12, by amending Section 12.08 to increase fees for parking in the lot at the Kezar Stadium and making environmental findings. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090715 [Recreation and Park Department - Arboretum Fees]**
Ordinance amending San Francisco Park Code, Article 12, by amending Section 12.46 to add a non-resident entrance fee for the Arboretum and making environmental findings. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090716 [Recreation and Park-Parking]**
Ordinance amending the Article 6 of the Park Code by adding Section 6.14 to authorize the San Francisco Municipal Transportation Agency to identify areas located on property under the jurisdiction of the Recreation and Park Commission that are suitable for paid parking; to set rates for such parking; and to develop and implement a parking management plan for park property, and making environmental findings. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090717 [Recreation and Park Department - Athletic Field Fees]**
Ordinance amending San Francisco Park Code, Article 12, by amending Section 12.36 to increase the fees for use of Athletic Fields and making environmental findings. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090718 [Recreation and Park Department - Japanese Tea Garden Fees]**
Ordinance amending San Francisco Park Code, Article 12, by amending Section 12.05 to add a non resident entrance fee for the Japanese Tea Garden and making environmental findings. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090719 [Recreation and Park Department - Latch Key and Afterschool Programs Fees]**
Ordinance amending San Francisco Park Code, Article 12, by amending Section 12.30 to increase fees for Latchkey and Afterschool programs and making environmental findings. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090720 [Recreation and Park-Conservatory of Flowers Fees]

Ordinance amending San Francisco Park Code, Article 12, by amending Section 12.34 to add a non-resident entrance fee for the Conservatory of Flowers and making environmental findings. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090721 [Medical Examiner's Fees for Copies of Documents and Certain Services]

Ordinance amending Section 8.14 of the S.F. Administrative Code to increase the Medical Examiner's Fees for Copies of Documents and Certain Services and adding fees for new services. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090722 [Public Works Code - Increasing Tree Removal Permit Fees]

Ordinance amending Section 806 of the Public Works Code to increase the fees charged for removal of street trees under the Urban Forestry Ordinance from \$267 to \$607, for a permit to remove 1-3 street trees; from \$360 to \$808, for a permit to remove 4-9 street trees; and from \$565 to \$1,214, for a permit to remove 10 or more street trees; and making environmental findings. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090723 [Budget Savings Incentive Fund]

Ordinance amending the San Francisco Administrative Code by amending Section 10.20 to permit the suspension of appropriations from the Budget Savings Incentive Fund for any single fiscal year and to deposit the amounts in the Fund as of June 30, 2009, into the General Fund to assist in balancing the fiscal year 2009-2010 budget. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090724 [Establishing a Cigarette Litter Abatement Fee]

Ordinance amending the San Francisco Administrative Code (1) by adding a new Chapter 105 to establish a Cigarette Litter Abatement Fee of \$.33 per pack of cigarettes sold in San Francisco to recover the cost of abating cigarette litter from City streets, sidewalks, and other public property and (2) by adding a new Section 10.100-46 to establish a Cigarette Litter Abatement Fund; amending the San Francisco Health Code, Article 19H, Section 1009.60 to include the failure to pay the Cigarette Litter Abatement Fee among the violations of Tobacco Control Laws for which the Director of the Department of Public Health may suspend a tobacco sales permit and impose administrative penalties; amending Article 6 of the San Francisco Business and Tax Regulations Code to include the Cigarette Litter Abatement Fee; and making environmental findings. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090734 [Amending Ordinance 125-08, which approved an agreement with Cochran, Inc. to install shoreside power equipment at Piers 27 and 29 of the Port of San Francisco and waived requirements of the Administrative Code and Environment Code]

Ordinance amending Ordinance 125-08, which authorized the Executive Director of the Port to execute an agreement with Cochran, Inc., to install shoreside power equipment at Piers 27 and 29 of the Port of San Francisco and exempted the agreement from the contracting requirements of the Administrative Code and Environment Code, to increase the amount of the contract to design, purchase, and install the shoreside power equipment, and to allow the Port to contract with Cochran, Inc. to operate and maintain said equipment for a period of three (3) years, for a total amount not to exceed \$5,198,000. Mayor, Supervisors Chiu, Alioto-Pier presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

090631 [Recreation and Park Department - Renaming Candlestick Park]

Motion ordering submitted to the voters an ordinance authorizing the amending San Francisco Administrative Code Section 4.24 to allow the Recreation and Park Department to enter into an agreement for the naming of City-owned sports stadium located at Candlestick Point, and to use fifty percent of the revenue from the agreement to fund recreation center directors at an election to be held on November 3, 2009. Supervisors Dufty, Elsbernd presented. SUBSTITUTED.

Resolutions

090693 [Treasure Island Development Authority Interim Budget]

Resolution approving the Interim Budget of the Treasure Island Development Authority for fiscal year 2009-2010. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 090694 [Treasure Island Development Authority Budget]**
Resolution approving the Budget of the Treasure Island Development Authority for fiscal year 2009-2010. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090695 [Redevelopment Agency Budget and Bonds]**
Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2009-2010 and approving the Issuance by the Redevelopment Agency of Bonds in an aggregate principal amount of not to exceed \$87.5 million to finance a portion of redevelopment activities described in such approved Budget for fiscal year 2009-2010. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090725 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved]**
Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: budget analyst (Board of Supervisors); LGBT Anti-violence Education and Outreach Program (District Attorney); body removal services—Medical Examiner, central shops security, convention facilities management, janitorial services, and security services (General Services Agency—City Administrator); security services—1680 Mission Street (General Services Agency—Public Works); mainframe system support (General Services Agency—Technology); absentee voter ballot distribution (Department of Elections); security services (Human Services Agency); Project S.A.F.E. (Police); and janitorial services (Sheriff). Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090726 [Proposition J Contract/Certification of Specified Contracted-Out Services for San Francisco County Jail/ Fiscal Emergency]**
Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for health services at San Francisco Jail, and concurring in determination of fiscal emergency. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090727 [Proposition J Contract/Certification of Specified Contracted-Out Services under City Administrator/ Fiscal Emergency]**
Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for citywide janitorial services under the City Administrator, and concurring in determination of fiscal emergency. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090728 [Proposition J Contract/Certification of Specified Contracted-Out Services for City Museums/Fiscal Emergency]**
Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for security services for the Asian Art Museum and the Fine Arts Museum and concurring in finding of fiscal emergency. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090729 [Proposition J Contract/Certification of Specified Contracted-Out Services for Department of Juvenile Probation/ Fiscal Emergency]**
Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for food service in Juvenile Hall for the Department of Juvenile Probation, and concurring in determination of fiscal emergency. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090730 [Proposition J Contract/Certification of Specified Contracted-Out Services for Department of Public Health/Fiscal Emergency]**
Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for security services at Department of Public Health hospitals and clinics, concurring in finding of fiscal emergency. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 090731 [Proposition J Contract/Certification of Citywide Security Guard Services under the City Administrator/ Fiscal Emergency]**
Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for citywide security services at City Hall, the Department of Emergency Management and the Hall of Justice, and concurring in determination of fiscal emergency. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090735 [Approving contract between the SFMTA and TJPA for Transbay Transit Center services]**
Resolution approving Contract No. CS -159 between the San Francisco Municipal Transportation Agency and the Transbay Joint Powers Authority for Transbay Transit Center program services. Supervisor Daly presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090736 [Approval of one-year extension of contract for the San Francisco Treasurer/Tax Collector for software maintenance, support and development for collection of revenue for various City and County departments]**
Resolution approving one-year extension of software maintenance, license, support and development contract for the San Francisco Treasurer/Tax Collector for services to collect revenue for various City and County departments. Supervisor Duffy presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090737 [Approval of Sustainable Crushing Ventures, LLC Lease]**
Resolution approving the Port Commission Lease No. L-14705 with Sustainable Crushing Ventures, LLC, for a five (5) year term with a five (5) year extension option for certain real property located at Pier 94, Seawall Lot 352 in the City and County of San Francisco. Supervisor Maxwell presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090738 [Accept and Expend Federal Grant - Port Commission - \$1,800,000]**
Resolution authorizing the San Francisco Port Commission to accept and expend \$1,800,000 in Federal American Recovery and Reinvestment Act grant funds from the State Water Resources Control Board to fund utility infrastructure improvements at the Pier 45 fish processing facility. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090741 [Authorizing City officials the ability to execute Homeland Security Grants]**
Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the laws of the State of the California, any applications or agreements and to take any actions necessary to obtain federal financial assistance provided by the Federal Department of Homeland Security and sub-granted through the State of California, including the following grants: State Homeland Security Grant Program, Metropolitan Medical Response System and Citizen Corps Program. Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090742 [Homeland Security Grants]**
Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub-granted through the State of California under various grant programs, including: the FY 09 Homeland Security Grant Program for the FY 09 Urban Areas Security Initiative (UASI) grant, the FY 09 Buffer Zone Protection Program (BZPP) grant, the FY 09 Regional Catastrophic Preparedness Grant Program (RCPPG), the FY 09 Interoperable Emergency Communications Grant Program (IECGP) and Public Law 110-329. Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090743 [Accept and Expend State Grant - Port of San Francisco - \$25,000]**
Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of \$25,000 from the California Department of Fish and Game, Oil Spill Prevention and Response division for purchase of oil spill response equipment. Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090744 [2010 Census Count]

Resolution calling for an accurate, fair and inclusive count of all San Francisco residents in the 2010 Census. Supervisors Chiu, Chu, Campos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090745 [Urging the Metropolitan Transportation Commission to reallocate funds from highway expansion to public transit and environment- and community-friendly highway designs]

Resolution urging the Metropolitan Transportation Commission and other local, regional and state agencies to re-allocate funds currently dedicated to regional highway expansion towards improvements to public transit in the region; urging MTC and other regional and state agencies to adopt management and design programs for state highways that lessen the environmental burdens imposed by highways on adjacent communities, and enhances mobility by sustainable transportation modes. Supervisor Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090746 [Calling for the creation of an interagency task force to investigate and prosecute fraud crime]

Resolution calling for the creation of an interagency task force of local authorities, federal authorities and businesses to investigate and prosecute fraud crime. Supervisors Dufty, Campos, Mirkarimi, Alioto-Pier, Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090747 [Commending Helen Diller on her dedicated service to San Francisco]

Resolution commending Helen Diller on her dedicated service to the City and County of San Francisco through her contributions to health research, education and philanthropy. Supervisor Dufty presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090748 [Recognizing the fortieth anniversary of the Stonewall Riots]

Resolution recognizing the fortieth anniversary of the Stonewall Riots and the profound influence they have had on the fight for equality for LGBT Americans. Supervisors Dufty, Campos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090749 [State cuts to UC Hastings budget]

Resolution recognizing the educational, economic and pro-bono contributions of the University of California, Hastings – College of the Law to the State of California and the City and County of San Francisco, and urging the Governor and the California Legislature to reverse the Governor’s proposal to eliminate all state funding for the school. Supervisors Elsbernd, Daly, Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090750 [Issuance and Sale of Revenue Bonds - 2235 Third Street Apartments]

Resolution approving the issuance and sale of tax-exempt bonds by the Association of Bay Area Governments (ABAG) Finance Authority For Nonprofit Corporations in an aggregate principal amount not to exceed \$50,000,000 for financing the acquisition, construction and rehabilitation of 2235 Third Street Apartments, subject to the policies for such approvals adopted by the Board of Supervisors in Ordinance No. 36-07. Supervisor Maxwell presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090751 [Urging San Francisco's representatives in the California Senate and Assembly to modify the definition of a "change of ownership" for commercial property and to draft a State constitutional amendment creating a split-roll property tax]

Resolution urging San Francisco’s representatives in the California Senate and Assembly to modify the definition of a “change of ownership” for commercial property and to draft a state constitutional amendment creating a split-roll property tax. Supervisors Mirkarimi, Chiu, Campos, Maxwell presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090752 [Authorization of issuance of demolition permit to Kaiser Permanente]

Resolution authorizing the issuance of a demolition permit by the San Francisco Planning Department and/or the Department of Building Inspection to Kaiser Permanente for residential property at 1401-1417 Divisadero. Supervisor Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090753 [Selection of independent City auditors]

Resolution selecting independent auditors for the Controller's office and the separately audited departments of the City and authorizing a two-year contract with the selected audit firm with five years worth of options for renewal. Supervisor Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090754 [Amending the California Constitution to restore majority rule to all budgetary and revenue issues]

Resolution urging San Francisco's California State legislative delegation to draft an amendment to the California Constitution restoring majority rule to all budgetary and revenue issues decided in the State of California. Supervisor Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090776 [Redevelopment Agency Interim Budget]

Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2009-2010. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090586 [Safe Streets and Road Repair General Obligation Bonds]

Resolution determining and declaring that the public interest and necessity demand the resurfacing of roads, repair of sidewalks and street structures, and the redesign of streetscapes to include curb ramps and other pedestrian safety features and the payment of related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of \$388,000,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; finding that the proposed bond is not a project under the California Environmental Quality Act, ("CEQA"); finding the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and waiving the time limits set forth in Administrative Code Section 2.34. Mayor, Supervisors Chiu, Dufty, Mar, Alioto-Pier, Campos presented. ASSIGNED to Budget and Finance Committee.

Requests for Hearing

090690 [Annual Budget, Fiscal Year 2009-2010]

Hearing to consider the Mayor's proposed budget for Fiscal Year 2009-2010. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090696 [Transfer of Function of Departments]

Hearing on notice of Transfer of Function of Departments pursuant to Charter Section 4.132. (Clerk of the Board) RECEIVED AND ASSIGNED to Budget and Finance Committee.

090732 [Controller's Revenue Letter]

Hearing to consider the Controller's Revenue Letter. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090733 [Impact of California State Budget on San Francisco's Budget]

Hearing to consider the impact of California State Budget on San Francisco's Budget. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Charter Amendment

090607 [Requiring adequate taxi service, protecting public ownership of taxi medallions and other features of the medallion program, and ensuring the welfare of taxi drivers]
Charter Amendment (Second Draft) to add Section 8A.116 to require the Municipal Transportation Agency to determine the number and types of taxi permits sufficient to ensure adequate taxi service; to require that Agency regulations are consistent with certain principles – that taxi medallions are a public asset that may not be sold, assigned, or transferred; that medallions may only be issued to natural persons, with a limit of one per person; that only application-related fees may be charged medallion applicants; that medallion applications will be considered in the order received, with preference given to applicants who have been active drivers since 2004; and that medallion holders must satisfy an annual driving requirement; and to require that the Agency provide for the welfare of medallion holders and active drivers, including health care, retirement, and disability. Supervisor Daly presented. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

- 090596** [Settlement of Lawsuit - Vivian Ross - \$50,000]
Ordinance authorizing settlement of the lawsuit filed by Vivian Ross against the City and County of San Francisco for \$50,000; the lawsuit was filed on September 7, 2007, in San Francisco Superior Court, Case No. 466-977; entitled Vivian Ross, et al. v. City and County of San Francisco, et al. (City Attorney) RECEIVED AND ASSIGNED to Rules Committee.
- 090597** [Settlement of Lawsuit - U.S. Filter, Inc. (Siemens Water Technology Corp.) - \$30,000]
Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against U.S. Filter, Inc. (Siemens Water Technology Corp.) by accepting the payment of \$30,000 to the City and County of San Francisco from U.S. Filter, Inc. (Siemens Water Technology Corp.); the lawsuit was filed on July 11, 2007, in San Francisco Superior Court, Case No. CGC-07-465059; entitled City and County of San Francisco, et al. v. U.S. Filter, Inc. (Siemens Water Technology Corp.), et al. (City Attorney) RECEIVED AND ASSIGNED to Rules Committee.
- 090667** [Settlement of Lawsuit - King, et al. v. City and County of San Francisco - \$63,500]
Ordinance authorizing settlement of the class action lawsuit entitled King v. City and County of San Francisco, filed on January 4, 2007, in the Superior Court of California, County of San Francisco, Case No. 459-278. Pursuant to the proposed settlement, the City will spend a minimum of \$4 million annually to install and upgrade curb ramps in the City's pedestrian rights of way, and the City will pay an aggregate of \$63,500 to plaintiffs and their counsel for damages and attorneys' fees. (City Attorney) RECEIVED AND ASSIGNED to Rules Committee.
- 090670** [Revisions to Division I of the San Francisco Transportation Code]
Ordinance amending San Francisco Transportation Code, Division I, by amending Sections 3.4, 7.2.12, 7.2.26, 7.2.28, 7.2.29, 7.2.71, 7.2.101, 7.3.3, and 8.1 to change existing posting requirements for temporary parking restriction signs; provide a three minute time limit for noncommercial vehicles parked in yellow zones; provide a three consecutive day on-street parking restriction instead of seven consecutive days; provide that exceeding the permissible use of a Special Traffic Permit is a violation of Section 7.2.71; provide that obstructing traffic four or more times within one year without a Special Traffic Permit, or in violation of the terms of a Special Traffic Permit, is a misdemeanor; provide that persons are prohibited from boarding a Municipal Railway vehicle in revenue service through the rear exit while the vehicle is operating on a transit line; and to repeal noticing requirements for towing vehicles on public streets; repealing Section 7.2.44 prohibiting parking on designated streets near Candlestick Park; and making revisions to clarify applicable restrictions and references to Division II. (Municipal Transportation Agency) RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

090598 [Official Advertising]

Resolution designating the Examiner as the official newspaper of the City and County of San Francisco for the categories of Type 1 and Type 2 official advertising, from July 1, 2009, through June 30, 2010. (Office of Contract Administration) RECEIVED AND ASSIGNED to Budget and Finance Committee.

090599 [Outreach Advertising for Fiscal Year 2009-2010]

Resolution designating the Bay Area Reporter to be the outreach newspaper of the City and County for the Gay, Lesbian, Bisexual community, and El Reportero to be the outreach newspaper of the City and County for the Hispanic community, to provide outreach advertising for Fiscal Year 2009-2010. (Office of Contract Administration) RECEIVED AND ASSIGNED to Budget and Finance Committee.

090668 [Settlement of Unlitigated Claim - Barry Louis Mangels - \$100,000]

Resolution approving the settlement of the unlitigated claim filed by Barry Louis Mangels against San Francisco for \$100,000; claim was filed on March 11, 2009. (City Attorney) RECEIVED AND ASSIGNED to Rules Committee.

090669 [Settlement of Potential Litigation - Dolly A. Cool - \$84,126.98]

Resolution authorizing settlement of potential litigation with Dolly A. Cool, individually and in her representative capacity as Trustee of The Cool Family Living Trust dated December 30, 1992, related to encroachments on San Francisco Public Utilities Commission Right of Way Land adjacent to 711 Esther Lane, Redwood City, CA for \$84,126.98. (City Attorney) RECEIVED AND ASSIGNED to Rules Committee.

Clerk to Act – June 2, 2009

Board Minutes for May 5, 2009 and May 12, 2009 approved.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

355 Laguna
398 Hayes
500 Buchanan
568 Laguna
478 Haight
546 Haight
485 Scott
703 Webster
350 Laguna
575 Octavia
19 Buchanan
899 Divisadero
798 Haight
580 Hayes
428 Haight
478-482 Haight
581 Haight
705 Haight
901 Haight
546 Haight
963 Haight
1317 Haight
1501 Haight
1609 Haight
1022 Fell
638 Stanyan
1875 Fell
1667 Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Utility Boxes

Northwest corner O'Farrell & Laguna
Southwest corner Scott & Haight
Southeast corner Fell & Buchanan
Northeast corner Post & Steiner
Northeast corner Divisadero & Fulton
Northeast & Southeast corners of Linden & Buchanan
Northwest corner Baker & Turk
Southwest corner Geary & Webster
Northwest corner Turk & Webster
Southwest corner Fell & Webster
Northeast corner Fell & Steiner
Southeast corner McAllister & Divisadero

Garbage Cans

Southeast corner Eddy & Laguna
Southside of Haight & Lyon

Mailboxes

North side of Cole & Fulton
Northwest corner Haight & Stanyan

Potholes

On Scott near Pine (Northside of Scott street)
On Geary between Fillmore & Webster (south side of street)
On Geary, East of Steiner (south side of street)

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Metal Pole

Northeast corner Carl & Cole
Southwest corner California & Scott
Northeast corner Page & Buchanan
Southwest corner Page & Scott
Northwest corner Laguna & Scott
Northwest corner Masonic & Fulton
Southwest & Northwest corners Oak & Scott
Northside of Central & Turk
In front of 2031 Turk
Northwest corner Pierce & Hayes
Southwest corner Steiner & Fulton
In front of 422 Fell
Southeast corner Divisadero & McAllister

Wood Poles

Southeast corner Central & Haight

In front of 500 Fillmore

In front of 1335 Hayes

In front of 968 Haight

In front of 498 Fell

Northwest corner Steiner & Hermann

Northwest corner Pierce & Haight

Bus Shelters

Southwest corner of Fillmore & McAllister

All four bus shelters on Haight & Fillmore (graffiti & grime)

Southwest corner Divisadero & Geary

Southwest corner Geary & Laguna

Southeast corner Hayes & Divisadero

On Hayes near Fillmore

On Fillmore near northeast corner of Hayes

South side of street on Buena Vista West & Haight

On the 500 block of Fillmore

In Memoriams

Margaret McInnis – Entire Board

Dr. George Tiller – Supervisor Alioto-Pier

Zaida Rodriguez – Supervisor Campos

Melvyn Lloyd Seid – Supervisor Chiu

Him Mark Lai – Supervisor Chiu

Col. William G. Applegate – Supervisor Elsbernd

Ronald Takaki – Supervisors Mar, Chu, Chiu

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tel. No. 554-5184
TDD No. 554-5227

Legislation Introduced
Including All Off-Calendar Items
June 9, 2009

OFF-AGENDA LEGISLATION

GOVERNMENT
DOCUMENTS DEPT

JUN 12 2009

SAN FRANCISCO
PUBLIC LIBRARY

Introduced by Supervisors or Mayor

Ordinances

090795 [Prohibiting City employees and officers from raising funds for City departments]

Ordinance adding a new Chapter 5 to Article III of the Campaign and Governmental Conduct Code, by adding sections 3.500, 3.505, 3.510 and 3.515, to prohibit City employees and officers from soliciting donations to nonprofit organizations to fund City departments from persons doing business with those departments. Supervisor Daly presented. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

090800 [Establishing Carbon Mitigation Program]

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 52 to establish the San Francisco Carbon Mitigation Program administered by the Department of the Environment to reduce or offset local greenhouse gas emissions; and making environmental findings. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090134 [0.50% Sales Tax Increase for Health and Human Services and Public Protection]

Ordinance amending the San Francisco Business and Tax Regulations Code to add Article 16-A to provide support for health and human services and public protection to residents of the City and County of San Francisco by imposing a transactions (sales) and use tax at the rate of one-half of one percent (0.50%) for a period of three (3) years, to be administered by the State Board of Equalization in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code; adopting an expenditure plan; and directing submission of the tax for voter approval at the November 3, 2009, election. Supervisor Avalos presented. SUBSTITUTED.

Resolutions

090740 [Resolution urging Attorney General Jerry Brown to reject evidence gained through the use of torture]

Resolution urging Attorney General Jerry Brown to reject evidence gained through the use of torture and to drop the charges against the "San Francisco 8" defendants. Supervisors Mar, Maxwell, Mirkarimi, Daly presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

090796 [Recurring FY 2009-2010 State grant funds to the Department of Public Health]

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health (DPH) for FY 2009-2010. Supervisor Duffy presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090797 [Accept and Expend Grant - Department of Public Health - \$1,925,719]

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant from the California Department of Corrections and Rehabilitation (CDCR) in the amount of \$1,925,719 to expand the City's treatment capacity for mentally ill parolees; for the period of June 1, 2009, through June 30, 2012. Supervisor Duffy presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090798 [Bayview Hunters Point Redevelopment Project Area C Interim Controls Extension]

Resolution extending the imposition of interim zoning controls for an additional six (6) months in the area designated as "Area C" in the Bayview Hunters Point Redevelopment Survey Area, an area generally bounded by Jennings Street, Hunters Point Boulevard, Innes Avenue, Earl Street and the San Francisco Bay by requiring a conditional use permit for all new construction, changes of use, alterations that expand the building envelop and demolitions, except for alterations of a lawfully existing use in the M-1, M-2 or NC-2 zones or the establishment of or a change of use on the ground floor of a principally permitted use in the NC-2 area; by specifying criteria to be applied in the evaluation of a conditional use permit application; and adopting findings. Supervisor Maxwell presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

090799 [UCSF Medical Center Mission Bay Helipad Project]

Resolution approving the proposed helipad at the UCSF Medical Center at Mission Bay under California Public Utilities Code Section 21661.5 and adopting environmental findings under the California Environmental Quality Act, including a mitigation monitoring and reporting program and a statement of overriding considerations. Supervisors Maxwell, Duffy presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

090803 [Opposing Governor's proposal to eliminate the San Francisco Bay Conservation and Development Commission]

Resolution urging Governor Schwarzenegger and the State Legislature to not eliminate the San Francisco Bay Conservation and Development Commission. Supervisors Chiu, Maxwell presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090804 [Extending the life of Western SoMa Citizens Planning Task Force]

Resolution extending the life of the Western SoMa Citizens Planning Task Force. Supervisor Daly presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090805 [Urging the State of California to fund HIV/AIDS programs proposed for cuts in the FY 2009-2010 State budget]

Resolution calling on the Governor and California Legislature to fully fund HIV/AIDS programs proposed to be cut in the FY 2009-2010 State budget. Supervisors Duffy, Campos, Daly, Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090806 [Commending Sandy Lee of the Recreation and Park Department for 34 years of service]

Resolution commending Sandy Lee of the Recreation and Park Department upon the occasion of her retirement after 34 years of service. Supervisor Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090807 [Accept and Expend Grant - Department of Public Health - \$15,369]

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of \$15,369 from the University of California, San Francisco (UCSF), the primary contractor, with funds from the Futures Group International, to support a project entitled "Project SEARCH Nigeria HIV Prevention Project;" for the period of April 1, 2009, through September 30, 2009. Supervisor Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

090794 [Submission of Parcel Tax to voters]

Motion ordering submitted to the voters an "Ordinance amending the Business and Tax Regulations Code of the City and County by adding Article 18, Parcel Tax, and amending Article 6, Common Administrative Provisions, to include appropriate cross-reference to new Article 18," at an election to be held on November 3, 2009. Supervisors Avalos, Mirkarimi presented. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

090801 [Committee of the Whole - Health service reductions (Beilenson Hearing) June 16, 2009, at 3:00 p.m.]
Motion scheduling the Board to sit as a Committee of the Whole to consider health service reductions (Beilenson Hearing), to be held on June 16, 2009, at 3:00 p.m.. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

Hearings

- 090792 [San Francisco Unified School District FY 2009-2010 spending plans]
Hearing to consider the San Francisco Unified School District (SFUSD) FY 2009-2010 spending plans for the Education Fund and the Rainy Day Reserve Funds allocated by the City to the SFUSD. Supervisor Avalos presented. RECEIVED AND ASSIGNED to City and School District Select Committee.
- 090793 [San Francisco Airport compliance with Ordinance 81-08, Climate Change Goals and Ordinance 199-08, Commuter Benefits]
Hearing before the Government Audits and Oversight Committee for the Director of the San Francisco Airport to outline the actions and programs undertaken to comply with Ordinance 81-08, Climate Change Goals and Ordinance 199-08, Commuter Benefits as well as current Airport policy regarding employee and vendor transportation, parking and commuting subsidies. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090802 [Committee of the Whole - Beilenson Hearing]
Hearing to consider the Department of Public Health's budget eliminating or reducing medical services.. SCHEDULED FOR PUBLIC HEARING.

PROPOSED RESOLUTIONS

- 090755 [Street Artist Spaces]
Resolution approving permanent designation of nine (9) former temporary selling spaces for weekend usage on Market Street, north side, at Steuart Street, for street artists certified by the Arts Commission, City and County of San Francisco; exempting said spaces from the regulations of Police Code Section 2405 relating to street artist display size and bus zone. (Arts Commission) . RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 090756 [Approval of FY 2009-2010 Expenditure Plan for the Human Services Care Fund]
Resolution approving the FY 2009-2010 Expenditure Plan for the Human Services Care Fund. (Human Services Department) . RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090757 [Nineteenth Amendment to the Treasure Island Event Venues Master Lease]
Resolution retroactively approving the Nineteenth Amendment to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority) . RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090758 [Twentieth Amendment to the Treasure Island Event Venues Master Lease]
Resolution retroactively approving the Twentieth Amendment to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the U.S. Navy to add the unimproved lot surrounding Building 449 to the Leased Premises. (Treasure Island Development Authority) . RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090759 [Thirtieth Amendment to the Treasure Island Land and Structures Master Lease]
Resolution retroactively approving the Thirtieth Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority) . RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090760 [Thirty-First Amendment to the Treasure Island Land and Structures Master Lease]
Resolution retroactively approving the Thirty-First Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the U.S. Navy to add Building 202 to the Leased Premises. (Treasure Island Development Authority) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 090761 [Thirty-Second Amendment to the Treasure Island Land and Structures Master Lease]**
Resolution retroactively approving the Thirty-Second Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Redevelopment Authority and the U.S. Navy to add Buildings 29, 157, 215, 225, 261A, 264, 292, 401 and the lot surrounding Building 450 in the Leased Premises. (Treasure Island Development Authority) . RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090762 [Twelfth Amendment to the Treasure Island Marina Master Lease]**
Resolution retroactively approving the Twelfth Amendment to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority) . RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090763 [Twenty Third Amendment to the Treasure Island South Waterfront Master Lease]**
Resolution retroactively approving the Twenty Third Amendment to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority) . RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090764 [Twenty-Fourth Amendment to the Treasure Island South Waterfront Master Lease]**
Resolution retroactively approving the Twenty-Fourth Amendment to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the U.S. Navy to add Buildings 355, 385, 454, 501 and the portion of Avenue I between 3rd Street and California Avenue to the Leased Premises. (Treasure Island Development Authority) . RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090765 [80 Charter Oak Street Lease Amendment]**
Resolution authorizing a Lease Amendment to extend the term for five years for real property at 80 Charter Oak Street for the San Francisco Municipal Transportation Agency. (Real Estate Department) . RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090766 [1975-1999 Bryant Street Lease Amendment]**
Resolution authorizing a Lease Amendment to extend the term for five years for real property at 1975-1999 Bryant Street for the San Francisco Municipal Transportation Agency. (Real Estate Department) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – June 9, 2009

Requests Granted

From: Supervisor Avalos

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation to create an Alcohol Mitigation Fee.

From: Supervisor Avalos

To: City Controller

Requesting/Inquiring: Requesting the City Controller to coordinate a nexus study assessing the impact of alcohol consumption on City services and the costs associated with these services.

From: Supervisors Dufty and Maxwell

To: Director, Art Commission

To: City Hall Preservation Advisory Commission

Requesting/Inquiring: Requesting that the Art Commission and City Hall Preservation Advisory Commission to report to the Board of Supervisors on the possibility of providing a home to the statue of Thomas Starr King that was recently removed from the U.S. Capitol.

The statue of Thomas Starr King is slated to be displayed in the U.S. Capitol through 2010 and then its future is to be determined.

Could the statue be brought to City Hall for long-term of permanent display?

From: Supervisor Mirkarimi

To: Chief, Police Department

To: Chief, Fire Department

To: Director, Department of Public Works

To: Controller

Requesting/Inquiring: Inquiring of the Chief of Police, Chief of Fire Department, Controller, as well as the Director of Public Works as to the expense incurred to the City consequent to the Pacific Gas and Electric vault fire of June 5, 2009.

Such accounting for said expense shall include, but not be limited to, personnel costs for fire suppression and traffic control, equipment and supplies consumed, estimated expense of road or other City infrastructure repair, and the cost incurred by citizens and ratepayers.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

505 Divisadero
473 9th Avenue
401 Judah
350 Laguna
501 Waller
463 Broderick
423 Broderick
901 Oak
220 Pierce
1752 Fillmore
1742 Fillmore
1646 Sutter
1619 Laguna
1215 Laguna
875 Fulton
959 Haight
1301 Haight
1605 Haight
477 Fulton
420 Haight
1008 Page
1116 Haight
799 Haight
698 Haight
681 Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Metal Pole

North side Central & Turk

Southeast corner 10th Avenue & Irving

Northeast corner McAllister & Fulton

Southeast & Southwest corners Fulton & Webster

Southwest corner Pierce & Haight

Southwest corner Haight & Shrader

In front of 1116 Haight

Southeast corner Stanyan & Fulton

Wood Poles

Southeast corner McAllister & Fulton

Bus Shelters

Southeast corner Stanyan & Haight

Southwest corner Divisadero & Geary
Northeast corner Masonic & Fulton
Southwest corner Hayes & Scott
Southwest corner Pierce & Haight
All four bus shelters on Haight & Fillmore (graffiti & grime)

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Utility Boxes

Northeast corner Oak & Laguna
Northeast corner Oak & Broderick
In front of 1116 Oak
Northeast corner Masonic & Fell
Northwest corner Webster & Fulton
Northwest corner Baker & Fulton
Northeast corner Webster & Fell
Northeast corner Scott & Oak
Northeast corner Geary & Divisadero
Southwest corner Baker & Fell

Garbage Cans

Southeast corner Hayes & Stanyan
Northwest Masonic & Fulton
Southeast corner Central & Haight

Mailboxes

Northeast Fell & Buchanan
Northwest corner Pierce & Haight
Southeast corner Bush & Buchanan

Emergency Boxes

Southwest corner Steiner & Fulton
Southeast corner Hayes & Central
Northeast corner Page & Buchanan
Southeast corner Fell & Stanyan

Potholes

On Fillmore near Hayes, west side of Street

In Memoriams

John F. "Jack" Henning – Supervisor Alioto-Pier
Max Leavitt – Supervisors Dufty and Alioto-Pier
Frederick Sonenberg – Supervisor Dufty

Scott James Ghilarducci – Supervisor Dufty
Sister Mary Rose Therese Sousa – Supervisor Dufty
Mary Theresa Scanlon – Supervisor Dufty
Patricia Ann Jensen Schindler – Supervisor Dufty
Thomas B. Doyle – Supervisor Elsbernd
Luke Cole – Supervisor Mar
Dr. Kenji Murase – Supervisor Mar
Merl Saunders – Supervisor Mirkarimi

BOARD of SUPERVISORS



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**Legislation Introduced
Including All Off-Calendar Items
June 16, 2009**

OFF-AGENDA LEGISLATION

**GOVERNMENT
DOCUMENTS DEPT**

JUN 18 2009

Introduced by Supervisors or Mayor

Ordinances

**SAN FRANCISCO
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- 090820 [Public Employment and Accept-Expend Federal Grant - Amendment to the Annual Salary Ordinance, FY 2009-2010 - Human Services Agency]**

Ordinance amending the FY 2009-2010 Annual Salary Ordinance (Companion File No. 090541) to reflect the addition of temporary salaries of \$7,737,578 and authorizing the Human Services Agency to accept and expend a grant in the amount of \$28,141,437 from the United States Department of Health and Human Services, TANF Emergency Contingency Fund, as part of the American Recovery and Reinvestment Act of 2009, to sponsor the Mayor's Jobs NOW Program. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

- 090817 [Public Education Enrichment Fund for FY 2009-2010 - San Francisco Children and Families Commission]**
Resolution approving the San Francisco Children and Families Commission expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2009-2010. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090818 [Public Education Enrichment Fund for FY 2009-2010 - San Francisco Unified School District]**
Resolution approving the San Francisco Unified School District expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2009-2010. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090819 [Management Agreement with Owners' Association for administration/management of San Francisco Tourism Improvement District]**
Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the business-based business improvement district known as the "San Francisco Tourism Improvement District," pursuant to Section 36651 of the California Streets and Highways Code. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 090821 [Urging the United States Department of Justice to withdraw its support of the Defense of Marriage Act]**
Resolution urging the United States Department of Justice to withdraw or amend its support of the Defense of Marriage Act (DOMA) and calling on President Barack Obama to act to repeal DOMA. Supervisors Dufty, Campos, Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 090822 [Expressing support for the people of Iran who act in good faith to secure their democratic rights to transparent self governance]
Resolution expressing support for the people of Iran who act in good faith to secure their democratic rights to transparent self governance. Supervisor Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090824 [Federal Energy Efficiency and Conservation Block Grant revenue funding priorities]
Resolution establishing funding priorities for revenue from the federal Energy Efficiency and Conservation Block Grant program. Supervisor Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090825 [Opposing proposed California constitutional amendment]
Resolution in opposition to the proposed California constitutional amendment ballot measure misleadingly referred to as the "Taxpayers Right to Vote Act." Supervisor Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

- 090816 [City's Fiscal Year 2009-2010 Capital Budget]
Hearing on the City's Fiscal Year 2009-2010 Capital Budget. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCE

- 090783 [Settlement of Lawsuit - Jane Martin and David Baker - \$190,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Jane Martin and David Baker against the City and County of San Francisco for \$190,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

- 090784 [Settlement of Unlitigated Claim - Freda Quimbo - \$70,000]
Resolution approving the settlement of the unlitigated claim filed by Freda Quimbo against San Francisco for \$70,000; claim was filed on February 11, 2009. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 090785 [Lease of Real Property at 649-651 Bryant Street]
Resolution authorizing the lease of property, with a first right of refusal to purchase, comprising approximately 14,000 square feet of improvements upon a lot area of approximately 19,000 square feet, located at 649-651 Bryant Street (Assessor's Block 3777, Lot 050), San Francisco, for the San Francisco Public Utilities Commission. (Real Estate Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090786 [Lease of Real Property at 160 South Van Ness Avenue]
Resolution authorizing the Director of Property to exercise an extension option for a 7-year term for the lease of real property located at 160 South Van Ness Avenue, San Francisco, for the Human Services Agency. (Real Estate Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

090787 [Lease of Real Property at 100 Larkin Street]

Resolution authorizing the lease of 683 square feet of space to the Nasra Family Partnership, in the Main Library located at 100 Larkin Street, San Francisco, on behalf of the San Francisco Public Library. (Real Estate Department) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – June 16, 2009

Board Minutes for May 19, 2009 and May 27, 2009 approved.

Requests Granted

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: Supervisor Mirkarimi inquires of the City Attorney that if the attached letter purporting to be from the "San Francisco Clean-up Project" listing San Francisco City Hall as the organizational return address, is not a legitimate project of the City and County of San Francisco, whether there is a cause of action the City can pursue to prevent dissemination of such letters by individuals purporting to act with the imprimatur of the City and County of San Francisco.

From: Supervisor Mirkarimi

To: City Administrator

To: Director, Department of Public Works

Requesting/Inquiring: Supervisor Mirkarimi inquires of the City Administrator and Director of Public Works Department whether the attached letter purporting to be from the "San Francisco Clean-up Project" which list San Francisco City Hall as the organizational return address, is a legitimate project of the City and County of San Francisco.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property at the following locations:

Utility Boxes

Southeast corner Octavia & Oak

Northwest corner Pine & Webster

Northeast corner Webster & Oak

Northeast corner Divisadero & Hayes

Southeast corner Golden Gate & Divisadero

Northeast corner Divisadero & Geary

Northwest corner Post & Divisadero

Southwest corner Post & Scott

Southeast corner Central & Fulton

Northwest corner Fulton & Fillmore

Bus Shelters

Northeast corner Sutter & Steiner

Southeast corner Buchanan & Haight

Northeast corner Fillmore & Hermann (the canopy)

Fillmore & Haight (all 4 bus stops, graffiti and grime)

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Pole

Northwest corner Post & Pierce
Southeast corner Geary & Scott
Southeast corner Haight & Fillmore
Northeast corner Divisadero & Fell
On Hayes near Steiner (near bus shelter)
In front of 428 Buchanan

Wood Pole

In front of 511 Webster
Southeast corner McAllister & Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

507 Divisadero
1012 Divisadero
904 Divisadero
859 Divisadero
1400 Golden Gate
436 Buchanan
1807 Fulton
551 Fillmore
322 Divisadero
1593 Fulton
100 Scott
126 Scott
876 Haight
295 Buchanan
546 Haight
586 Haight
551 Haight
530 Haight
529 Haight
445 Webster
2545 Post

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Alamo Square Bulletin Board

Garbage Can

Southeast corner Oak & Fillmore
Northwest corner Geary & Steiner
Northeast Waller & Scott

Overpass

Northwest corner Geary & Steiner

From: Supervisor Campos

To: Director, Department of Human Resources

Requesting/Inquiring: Information to be requested from the Department of Human Resources:

1. List of City and County of San Francisco (CCSF) employees by gender, age, race and ethnicity, classification, title and department that have been laid off or have received a layoff notice in FY 08-09.
2. List of CCSF employees by gender, age, race and ethnicity, classification, title and department that have been laid off, transferred to a new department, and released before completing their 90 day probationary period within FY 08-09.

In Memoriams

Tiffany Rystrom – Supervisor Dufty

George Cross – Supervisor Dufty

Lucille Burlew-Lawler and Edward John Hrbacek – Supervisor Dufty

BOARD of SUPERVISORS



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Legislation Introduced
Including All Off-Calendar Items
June 23, 2009

OFF-AGENDA LEGISLATION

GOVERNMENT
DOCUMENTS DEPT

JUN 25 2009

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PUBLIC LIBRARY

Introduced by Supervisors or Mayor

Ordinances

090833 [Lobbyist Ordinance Amendments]

Ordinance amending Chapter I of Article II of the Campaign and Governmental Conduct Code by amending Sections 2.100, 2.105, 2.110, 2.115, 2.117, 2.130, 2.135, 2.140, 2.145 and 2.150, adding Section 2.116, and deleting Sections 2.125 and 2.160, to simplify registration requirements, adopt a more equitable fee structure, ease electronic filing of lobbyist disclosures, and establish an effective date for these amendments. Supervisor Chiu presented. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

090835 [Residential Rent Ordinance: Prohibiting owner move-in evictions of families with children; and changing the definition of "disabled" tenants protected from owner move-in evictions]

Draft ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.9(i) to prohibit owner move-in evictions of families with children, where a member of the household is under the age of 18 and a member of a household which has resided in the unit for at least 12 months; and changing the definition of "disabled" tenants protected from owner move-in evictions to be the definition in Government Code Section 12955.3, in place of the current definition that is tied to federal Supplemental Security Income and California State Supplemental Program (SSI/SSP) definitions. Supervisor Mar presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090698 [Planning Fee Procedures and Adjustments]

Ordinance amending the San Francisco Planning Code by amending Article 3.5 to increase fees to recover costs for monitoring conditions of approval, code violation abatement, and the General Advertising Sign Program; establish a fee for Department facilitated pre-application meetings; modify refund procedures; modify the indigent fee waiver provision; clarify phased collections and payment deferment; establish a new processing fee for phased payments; and adopting Section 302 and environmental findings. Mayor presented. SUBSTITUTED.

090699 [Code Enforcement Fund; Fees]

Ordinance amending the San Francisco Administrative Code by amending Section 10.100-166 to expand the Planning Department's Code Enforcement Fund beyond general advertising signs and authorize the Fund to receive revenues from all types of code enforcement activities, including monetary judgments, and authorize expenditure of the funds for administration and enforcement of all Planning Code violations; amending the San Francisco Planning Code by amending Sections 303(l) and 358 to clarify that wall signs are included in the requirements; amending Sections 303(l) and 604.2 to delete the requirement to submit a site map, amending Section 358 to increase the annual inventory maintenance fee, clarify use of the general advertising sign inventory fees and to make technical changes to the language of the section; amending Section 604.2 to provide that violation of the Code's general advertising sign inventory requirements is a public nuisance, to clarify that the definition of the term "general advertising sign company" includes the operator of the sign, to modify language required to be in the affidavit submitted with the sign inventory, to conform the penalty and appeal procedure with Section 610, and to make other clarifying and technical changes to the language of the section; adopting CEQA and Planning Code Section 302 findings. Mayor presented. ASSIGNED to Budget and Finance Committee.

090837 [Penalty for alcohol content testing in Driving Under the Influence (DUI) cases]

Ordinance amending the San Francisco Administrative Code by adding Section 8.14-1, to impose an additional \$50 penalty for violation of certain Vehicle Code sections to pay for alcohol testing by the Medical Examiner. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

090827 [Commending Dan McKenna of the Bureau of Street Use and Mapping on his retirement]

Resolution commending Dan McKenna of the Bureau of Street Use and Mapping on the occasion of his retirement. Supervisor Duffy presented. ADOPTED.

090834 [California Public Employees' Retirement System (CalPERS) Contract Amendment]

Resolution of intention to approve an amendment to contract between the Board of Administration, California Public Employees' Retirement System (CalPERS), and the Board of Supervisors, City and County of San Francisco. Supervisor Elsbernd presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090836 [Lease of concession properties within the Japanese Tea Garden in Golden Gate Park]

Resolution authorizing and approving the execution, delivery and performance of a Lease for the management and operation of the concessions associated with the Japanese Tea Garden in Golden Gate Park. Supervisors Mirkarimi, Mar presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090838 [Fair and balanced State budget]

Resolution urging California's elected leaders to use a fair and balanced approach to solving the State's budget crisis. Supervisor Avalos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090839 [Accept and Expend State Grant - Recreation and Park Department - \$68,250]

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend retroactively a grant in the amount of \$68,250 from the California Integrated Waste Management Board for the purchase of tire derived products for the Crocker Amazon Soccer Complex Project. Supervisor Avalos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090840 [Urging California State Legislature to reject the passage of Assembly Bill 746 (Conflicts of Interest)]

Resolution urging the California State Legislature to reject the passage of Assembly Bill 746, relating to conflicts of interest. Supervisors Chiu, Campos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090841 [Commending Shanghai Pride Week as China's first gay pride festival, and recognizing its organizers and the Chinese government]

Resolution commending Shanghai Pride Week as China's first gay pride festival, and recognizing its organizers and the Chinese government for their role in its actualization. Supervisors Duffy, Campos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 090842 [Commending Carri Lucas for 29 years of dedicated service in the San Francisco Police Department]**
Resolution commending Carri Lucas for 29 years of dedicated service in the San Francisco Police Department. Supervisor Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090843 [California State Budget - Opposing the use of motor fuel tax and redevelopment tax increment funds]**
Resolution urging the City Attorney and the General Counsel of the San Francisco Redevelopment Agency to cooperate with the League of California Cities, the California Redevelopment Association, and other cities and counties in possible litigation challenging the constitutionality of any seizure by State government of the City's street maintenance and redevelopment funds. Supervisor Maxwell presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

- 090794 [Submission of Parcel Tax to voters]**
Motion ordering submitted to the voters an "Ordinance amending the Business and Tax Regulations Code of the City and County by: (1) adding Article 18, Parcel Tax, (2) amending Section 6.1-1 of Article 6, Common Administrative Provisions, to include appropriate cross-reference to new Article 18, and (3) amending the Administrative Code by adding Section 10.100-248 (Recreation and Parks Parcel Tax Fund)," at an election to be held on November 3, 2009. Supervisors Avalos, Mirkarimi presented. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

PROPOSED ORDINANCE

- 090811 [Settlement of Lawsuit - Craig Yates and Richard Skaff - \$312,000]**
Ordinance authorizing settlement of multiple lawsuits filed by Craig Yates and Richard Skaff against the City and County of San Francisco and San Francisco Uptown Parking Corporation for \$312,000; further authorizing settlement of San Francisco's cross-claims against San Francisco Parking, Inc., d/b/a City Park for \$150,000 to be paid to the City and County of San Francisco; the lawsuits entitled: (1) Craig Yates v. Union Square, et al., Case No. C07-4087-JSW, filed August 9, 2007, in the United States District Court, Northern District of California; (2) Craig Yates v. Union Square, et al., Case No. CGC-08-473176, filed March 11, 2008, in San Francisco Superior Court; (3) Richard Skaff v. Union Square, et al., Case No. 08-CV-2555-JSW, filed May 20, 2008, in the United States District Court, Northern District of California; and (4) Richard Skaff v. Union Square, et al., Case No. CGC-08-475516, filed May 20, 2008, in San Francisco Superior Court. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

- 090809 [Street Artist Spaces]**
Resolution approving designation for six (6) months of eight (8) temporary selling spaces in "mini-plaza" on 17th Street at Castro and Market Streets for street artists certified by the Arts Commission, City and County of San Francisco; exempting said spaces from the regulation of Police Code Section 2405(c)(11) relating to distance between street artists; said spaces subject to Board of Supervisors review. (Arts Commission) Supervisor Duffy presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 090810 [Street Artist Spaces]**
Resolution approving designation for six (6) months of four (4) temporary selling spaces on Hayes Street, north side, near Octavia Street for street artists certified by the Arts Commission, City and County of San Francisco; said spaces subject to Board of Supervisors review. (Arts Commission) . RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

090823 [Authorization for continued membership in 18 County CalWIN Consortium]

Resolution authorizing the Department of Human Services to continue its membership in the 18 County CalWIN Consortium and authorizing the Director of the Human Services Agency to execute the necessary agreements for participation in the consortium's continued development, implementation, maintenance and operation of a computer system for the administration of public benefit programs in accordance with state requirements for which San Francisco's portion of the cost will be \$13,110,600 for the extended period of July 1, 2009, through July 31, 2013. Please note: State and Federal reimbursement is at 92% of \$13,110,600. County general fund portion \$1,048,848. (Human Services Department) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – June 23, 2009

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property at the following locations:

Utility Boxes

Southeast corner Steiner & Scott

Bus Shelters

Northeast corner Laguna & Mc Allister

Northeast corner Fillmore & Hermann (the canopy)

Fillmore & Haight (all 4 bus stops, graffiti and grime)

Emergency Boxes

Northeast corner Haight & Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Alamo Square Bullentin Board

Garbage Cans

Southeast corner Fell & Fillmore

Northeast corner Grove & Fillmore

Northeast corner Golden Gate & Webster

Southeast corner Webster & Golden Gate

Northeast corner McAllister & Gough

Mailboxes

Northeast corner Fillmore & Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore & Post

Southwest corner of Divisadero & Sutter

9th Avenue & Judah (near bus stops)

7th Avenue & Irving (near bus stops)
Northwest corner of Hayes & Fillmore
Southeast corner of Fillmore & Haight

San Francisco Chronicle

Northwest corner Fillmore & Hayes
Southeast corner Haight & Fillmore
Irving & 9th Avenue
Irving & 7th Avenue
Southwest corner of Haight & Clayton
Southeast corner of Haight & Masonic

Examiner

Northwest corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore

SF Daily

Northwest corner of Hayes & Gough

City Star

Northwest corner of Hayes & Gough
Southeast corner of Fillmore & Haight

SF Weekly

Southeast corner of Masonic & Haight & Southeast corner of Haight & Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Pole

Across the street from 660 Hayes

Wood Pole

Northwest corner Haight & Webster
Southeast corner Webster & Haight
Southeast corner Webster & Germania

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

1151 Webster

1667 Oak

1301 Haight
998 Oak
745 Buchanan
565 Laguna
596 Page
600 Page
438 Buchanan
531 Haight
551 Haight
557 Haight
583 Haight
595 Haight
507 Haight
589 Haight
547 Haight
542 Haight
540 Haight
530 Haight
400 Haight
406 Haight
518 Haight
428 Haight
438 Haight
347 Haight

In Memoriams

Neda Agha-Soltan - Entire Board

Robert Derzon – Supervisor Alioto-Pier

Sister Mary Patrice Murray – Supervisor Alioto-Pier

Allen White – Supervisor Duffy

BOARD of SUPERVISORS



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Legislation Introduced
Including All Off-Calendar Items
June 30, 2009

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

GOVERNMENT
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Resolutions

090852 [Declaring July 1, 2009, Julie Leadbetter Day]

Resolution seeking to commend Julie Leadbetter for her dedication to housing advocacy, community development and homeless services in San Francisco, wishing her well until she returns to our great city and declaring July 1, 2009, to be Julie Leadbetter Day. Supervisor Avalos presented. ADOPTED.

090855 [Assessment Ballots for City Parcels, for the proposed renewed and expanded Greater Union Square Business Improvement District]

Resolution authorizing the Mayor to cast assessment ballots in the affirmative on behalf of the City and County of San Francisco, as the owner of three parcels of real property that would be subject to assessment in the proposed renewed and expanded property and business improvement district to be named the Greater Union Square Business Improvement District. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

090856 [Approval of Amendment to the Owner Controlled Insurance Program for the Laguna Honda Hospital Replacement Program - \$15,279,662]

Resolution authorizing the Director of Public Works to execute amendment to the Owner Controlled Insurance Program (OCIP) for the Laguna Honda Hospital Replacement Program from \$9,915,928 to \$15,279,662. Supervisor Elsbernd presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090861 [Accept and Expend State Grant - Department of Public Works - \$333,000]

Resolution authorizing the Department of Public Works to accept and expend State Transportation Development Act (TDA) Article 3 funds totaling \$333,000 for various pedestrian projects in the City and County of San Francisco in FY 2009-2010. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090862 [Accept and Expend Federal Grant - Department of Public Works - \$13.54 million]

Resolution authorizing the filing of an application for Federal American Recovery and Reinvestment Act of 2009 (ARRA) funding, stating the assurance to complete the project, and authorizing the Director of Public Works to accept and expend federal grant funds totaling \$13.54 million. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090863 [Support for the passing of Assembly Concurrent Resolution No. 42 (Fong; Chinese Americans in California)]

Resolution supporting Assembly Concurrent Resolution No. 42 (Fong) that recognizes the extraordinary hardships of Chinese in California as a result of systematic discriminatory practices implemented at the legislative level, which conflict with the principles upon which our country was founded. Supervisors Mar, Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 090864 [Celebrating the 20th anniversary of San Francisco Animal Care & Control]**
Resolution celebrating the 20th anniversary of San Francisco Animal Care & Control. Supervisor Mar presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090865 [Denouncing the coup de etat in Honduras and urging the Honduran government and the international community to support democratic, transparent elections that respect human rights, national sovereignty and democracy]**
Resolution denouncing the coup de etat against the duly elected President of Honduras and urging the Honduran government and international community to support democratic elections that respect human rights, national sovereignty, and economic sustainability that leads to conditions of peace and democracy. Supervisors Campos, Avalos, Daly, Mar, Maxwell, Mirkarimi, Dufty presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090866 [Traffic Regulation - Closure of McCoppin Street west of Valencia Street to vehicular traffic]**
Resolution closing McCoppin Street west of Valencia Street to vehicular traffic; adopting findings, including environmental and findings of consistency with the City's General Plan and priority policies of Planning Code Section 101.1; and authorizing official acts in connection with the street closure. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Requests for Hearing

- 090853 [Mayor's Notice of Minimum Compensation Ordinance for Fiscal Year 2009-2010]**
Hearing on Mayor's Notice of Minimum Compensation Ordinance under Section 12P.3 for Fiscal Year 2009-2010. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090854 [Grantee selection process for the Family Resource Center Initiative]**
Hearing on the grantee selection process for the Family Resource Center Initiative administered by First 5 San Francisco, the Department of Children, Youth and Their Families, and the Human Services Agency. Supervisor Campos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCE

- 090829 [Trinity Plaza Development Agreement Amendment; Property at 1167 Market Street, 670-693 Stevenson Street, and 1164 Mission Street]**
Ordinance amending a development agreement between the City and County of San Francisco and 1169 Market Street, L.P. for certain real property located at 1167 Market Street (Assessor's Block 3702/Lot 053), 670 Stevenson Street (Assessor's Block 3702/Lot 051), 693 Stevenson Street (Assessor's Block 3702/Lot 052), 1164 Mission Street (Assessor's Block 3702/Lot 039), and a portion of former Jessie Street between 7th and 8th Streets, altogether consisting of approximately 177,295 square feet (4.07 acres) and commonly known as Trinity Plaza, entered into on June 15, 2007, pursuant to Ordinance No. 92-07 adopted by the Board of Supervisors on April 17, 2007 (File No. 061217), to add 5 years to the term, to permit the construction of the entirety of a parking garage, to amend the definition of Existing Tenants, to identify the BMR Units for Building A, to modify the location and selection process for the Replacement Units, and to permit a Project-wide art component for the Project; and adopting environmental, General Plan and Planning Code Section 101.1(b) findings. (Planning Department) . RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

090830 [Airport Concession Lease]

Resolution approving the Terminal 1 Boarding Area "C" Retail Lease between Hudson News Company and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

090831 [Settlement of Potential Litigation - George Boutros - \$25,000]

Resolution authorizing settlement of potential litigation with George Boutros, individually and in his representative capacity as Trustee of The Boutros Family Trust, related to encroachments on San Francisco Public Utilities Commission Right of Way easements that cross Boutros residential property located at 90 Sea Cliff Avenue, San Francisco, CA. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

090832 [Approval of Surface Mining Permit 30 Sunol Valley Quarry Lease]

Resolution authorizing the General Manager of the Public Utilities Commission to enter into a quarry lease for a 308.5 acre parcel located in unincorporated Alameda County in the Sunol Valley with Oliver de Silva, Inc., as tenant, through June 1, 2021, pursuant to San Francisco Charter Section 9.118, with rights to extend the term for two years to complete reclamation and with potential expansion and extension rights subject to further environmental review and regulatory approvals. (Public Utilities Commission) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – June 30, 2009

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from the public property at the following locations:

Alamo Square Bulletin Board Garbage Can

Southeast corner of Page and Fillmore

Southeast corner of Buena Vista East and Haight

Mailboxes

Northwest corner of Laguna and Page

Southeast corner of Buchanan and Haight.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore and Post

Southwest corner of Divisadero and Sutter

9th Avenue and Judah (near bus stops)

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore

Southeast corner of Fillmore and height

San Francisco Chronicle

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Irving and 9th Avenue

Irving and 7th Avenue

Southwest corner of Haight and Clayton

Southeast corner of Haight and Masonic

San Francisco Examiner

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

San Francisco Daily

Northwest corner of Hayes and Gough

City Star

Northwest corner of Hayes and Gough

Southeast corner of Fillmore and Haight

San Francisco Weekly

Southeast corner of Masonic and Haight

Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti at the following private property locations:

310 Divisadero

857 Divisadero

312 Divisadero

498 Broderick

1037 Oak

561 Page

600 Page

350 Laguna

355 Laguna

500 Fillmore

1468 Haight

1470 Haight

1401 Haight

478 Haight

1305 Haight

1301 Haight

1196 Haight

793 Haight

904 Haight

922 Haight

501 Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from utility poles at the following locations:

Metal Poles

Southeast corner of Buena Vista East and Haight

Southwest corner of Haight and Fillmore

Northeast corner of Haight and Webster

Wood Pole

Northeast corner of Webster and Hermann

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from the following public property locations:

Utility Boxes

Southwest corner Post and Scott

Northeast corner of Waller and Stanyan

Bus Shelters

Southwest corner of Buena Vista East and Haight

Southeast corner of Stanyan and Haight
Fillmore and Haight (all 4 bus stops, graffiti and grime)

Fire Hydrant

Southeast corner of Steiner and Haight

Emergency Boxes

Southeast corner of Frederick and Cole

In Memoriams

Tony Patch - Entire Board

Joseph Cannon Houghteling – Supervisor Chiu

BOARD of SUPERVISORS



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**Legislation Introduced
Including All Off-Calendar Items
July 7, 2009**

OFF-AGENDA LEGISLATION

**GOVERNMENT
DOCUMENTS DEPT**

JUL - 9 2009

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Introduced by Supervisors or Mayor

Ordinances

090886 [Water Revenue Bond Issuance - \$1,321,924,182]

Ordinance approving the issuance and sale of water revenue bonds by the San Francisco Public Utilities Commission to finance various projects under the Water System Improvement Program pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090889 [Regulations for Mortgage Modification Consultants]

Ordinance amending the San Francisco Police Code by adding Article 27 to regulate mortgage modification consultants by: (1) requiring a written contract describing mortgage modification services to be provided prior to initiation of services; (2) requiring that any contract entered into for these services provide notice that the contract may be cancelled within fourteen calendar days and that services may be obtained free of charge from nonprofit sources; (3) prohibiting collection of fees until the consultant has obtained a written loan modification offer for the homeowner; and (4) providing for enforcement by criminal penalties and a private cause of action for homeowners, and making environmental findings. Supervisors Campos, Maxwell, Mirkarimi, Duffy, Chiu presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

Resolutions

090885 [Urging all San Francisco Giants fans to vote for Pablo Sandoval to represent the Giants and San Francisco at the 2009 Major League Baseball All-Star Game]

Resolution to encourage San Francisco Giants fans to vote for Pablo Sandoval as an All-Star. Supervisors Avalos, Duffy, Alioto-Pier, Campos, Chiu, Chu, Daly, Elsbernd, Mar, Maxwell, Mirkarimi presented. ADOPTED.

090887 [Water Revenue Bonds Issuance]

Resolution approving the issuance of not to exceed \$1,120,185,000 aggregate principal amount of San Francisco water revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue bonds are issued; and authorizing the taking of appropriate actions in connection therewith, and related matters. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 090888 [Calling on San Francisco Municipal Transportation Agency to calm traffic on Addison Street]**
Resolution calling on the San Francisco Municipal Transportation Agency to install speed humps or speed cushions on Addison Street. Supervisor Duffy presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 090890 [Supporting Assembly Bill 155 (Mendoza), a bill to prevent unnecessary municipal bankruptcies]**
Resolution supporting Assembly Bill 155 (Mendoza) to prevent unnecessary municipal bankruptcies in California. Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090891 [Accept and Expend State Grant - Office of the Public Defender - \$100,583]**
Resolution authorizing the San Francisco Public Defender's Office to accept and expend a grant in the amount of \$100,583 from the State Corrections Standards Authority for the purposes of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant. Supervisor Campos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090892 [Mortgage Revenue Bonds]**
Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed \$75,000,000 for the 220 Golden Gate Avenue Development (as such project is defined herein); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$75,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein). Supervisors Daly, Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090893 [Accept and Expend Federal Funds - Department of the Environment - \$60,000]**
Resolution authorizing the Department of the Environment to accept and expend funds from the United States Department of Energy's Office of Energy Efficiency and Renewable Energy Vehicle Technologies Program in the amount of \$60,000 to support San Francisco's Clean Cities Coalition Program and its work related to reducing petroleum use and improving air quality in the City and County of San Francisco. Supervisor Mar presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090894 [Apply for funds from the Clean Water State Revolving Fund for the Newcomb Avenue Streetscape Project]**
Resolution authorizing the San Francisco Planning Department to apply for funds from the State of California Clean Water State Revolving Fund for streetscape, traffic calming, and green stormwater improvements along the 1700 Block of Newcomb Avenue. Supervisor Maxwell presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

- 090845 [Settlement of Lawsuit - Yao Tondo - \$140,000]**
Ordinance authorizing settlement of the lawsuit filed by Yao Tondo as successor in interest to decedent Joe Tondo against the City and County of San Francisco for \$140,000; the lawsuit was filed on June 4, 2007, in San Francisco Superior Court, Case No. 463-946; entitled Yao Tondo as successor in interest to decedent Joe Tondo v. City and County of San Francisco, et al. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

- 090846 [Settlement of Lawsuit - Mai Tai Investors L.P., et al. - \$40,000]**
Ordinance authorizing settlement of the lawsuit filed by Mai Tai Investors L.P., et al. against the City and County of San Francisco for \$40,000; the lawsuit was filed on March 12, 2009, in San Francisco Superior Court, Case No. CGC-09-486061; entitled Mai Tai Investors L.P., et al., v. City and County of San Francisco, et al. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.
- 090847 [Settlement of Lawsuit - Tony Nguyen, dba MicroLan - \$100,000]**
Ordinance authorizing settlement of the lawsuit filed by Tony Nguyen, dba MicroLan, against the City and County of San Francisco for \$100,000; the lawsuit was filed on December 10, 2007, in the San Francisco Superior Court, Case No. 469890; entitled Tony Nguyen, dba MicroLan v. City and County of San Francisco, et al. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

- 090848 [Emergency contract to repair Fireboat Pier 22 1/2]**
Resolution approving an emergency public work contract under San Francisco Administrative Code Section 6.60, to repair Fireboat Pier 22 1/2. (Public Works Department) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – July 7, 2009

Requests Granted

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: Request for legislation requiring submission of Annual Appropriation Ordinance and Annual Salary Ordinance by May 1st.

From: Supervisors Daly and Mirkarimi

To: Public Defender, Jeff Adachi

Requesting/Inquiring: Inquiring to the Public Defender's Office from Supervisor Chris Daly:

1. What is the amount of the shortfall in the Public Defender's budget, and how will this shortfall affect your office's operations and programs? Which specific programs would you have to eliminate if the budget cut proposed by the Mayor is imposed?
2. How much of the budget shortfall would affect the legal representation of indigent children? How would it affect the quality of the work that you were able to perform? Is that work required or mandated by statute?
3. How much of the budget shortfall would result in additional costs to the city as a result of having to outsource cases to private attorneys? Would there be a net increase or decrease in costs of outsourcing cases to private attorneys after the city realized the savings by reducing your staff?
4. Are there any programs that you could eliminate without affecting your caseloads or workloads of your public defenders? What are these programs and what functions do they perform?
5. Have you considered any other alternatives other than outsourcing cases to private attorneys at an hourly rate? Are there any private law firms that might be willing to take cases that the Public Defender cannot handle on a pro bono basis?
6. What is the minimum amount of funding needed to maintain the current caseload of the Public Defender's office in order to avoid the need to outsource cases to private attorneys?

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore and Post

Southwest corner of Divisadero and Sutter

9th Avenue and Judah (near bus stops)

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner

Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily

Northwest corner of Hayes and Gough

City Star

Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly

Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans

Southwest corner Webster & Haight
Southeast corner Buena Vista East & Haight

Mailboxes

Southwest corner Ellis & Divisadero
Northwest corner Golden Gate & Divisadero
Southwest corner Laguna & Haight
Northeast corner Fillmore & Haight
Northwest Haight & Fillmore

Street Wall

On Hayes, across from Alamo Square, between Scott & Pierce

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property locations:

Utility Boxes

Northwest corner Octavia & Market
Northwest corner Buchanan & Fell

Bus Shelters

Southwest corner Buchanan & Haight
Southeast corner Fillmore & Hermann (inside canopy)
Fillmore and Haight (all 4 bus stops, graffiti and grime)

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Pole

Southwest corner Sutter & Scott
Southwest corner Fell & Buchanan
Northeast corner Haight & Fillmore
Southwest corner Oak & Fillmore
Southwest corner Octavia & Haight
Northwest corner Oak & Buchanan
In front of 498 Haight
In front of 112 Haight

Wood Pole

Northwest corner Sutter & Scott
Northwest corner Webster & Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

1655 Divisadero
839 Divisadero
1389 Divisadero
500 Haight
1037 Oak
398 Haight
295 Haight
55 Laguna
303 Webster
1758 Fillmore

478 Haight
503 Laguna

In Memoriams

Michael Joseph Jackson – Supervisors Avalos, Campos, Maxwell
Michael Joseph Walsh – Supervisors Avalos and Dufty
Eve Minnie Tucker – Supervisor Chiu
Laurence D. Lynch – Supervisor Dufty
Susan Cagann – Supervisor Dufty
Captain William T. O'Connor – Supervisor Dufty
Celeste Dorwin Stewart – Supervisor Dufty
James Chorley – Supervisor Elsbernd
Bill Ryan – Supervisor Elsbernd
Joe Ryan – Supervisor Elsbernd
Edythe Gillette Nance – Supervisors Maxwell and Dufty
Francis M. DuBose – Supervisor Mirkarimi

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tel. No. 554-5184
TDD No. 554-5227

**Legislation Introduced
Including All Off-Calendar Items
July 14, 2009**

OFF-AGENDA LEGISLATION

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Introduced by Supervisors or Mayor

Ordinances

090906 [Planning - Uses Permitted in R Districts - Double Density for Senior Housing]

Ordinance amending the Planning Code by adding Section 102.6.1 to create a definition related to housing for seniors; amending Planning Code Section 209.1(m) related to the Uses Permitted in R Districts - Dwelling Zoning Control Table to update the requirements for obtaining double density for providing senior housing and, adding Section 209.1(o) to require, in certain circumstances, a conditional use authorization; making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. Supervisor Chiu presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090909 [Citizen's Committee on Community Development]

Ordinance amending the Administrative Code by adding Section 2A.290 to establish the Citizen's Committee on Community Development, an advisory body jointly appointed by the Mayor and the Board of Supervisors, that is responsible for making policy recommendations and providing for citizen participation regarding community development strategy in the City, and making annual funding recommendations for the federal Housing and Urban Development Community Development Block Grant and Emergency Shelter Grant programs. Mayor, Supervisors Daly, Avalos, Mirkarimi presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Resolutions

090907 [Contract to rehabilitate 16 Presidential Conference Committee historic streetcars]

Resolution authorizing the Municipal Transportation Agency to enter into a contract with Brookville Equipment Corporation to rehabilitate 16 Presidential Conference Committee historic streetcars for an amount not to exceed \$18,712,576, and a term not to exceed five years. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090908 [Approving Advanced Train Control System Improvement Services and Equipment Purchases]

Resolution approving Municipal Transportation Agency Contract No. 1226, Advanced Train Control System Improvement Services and Equipment Purchases, with Thales Transport & Security, Inc., for an amount not to exceed \$30,000,000 for a term not to exceed five years with an option to extend the term an additional three years. Supervisor Duffy presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090910 [Accept and Expend Grant - Department of Public Health - \$10,676]

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from Public Health Foundation Enterprises, Inc., in the amount of \$10,676 to provide project management and collaboration services for the period of March 1, 2009, through August 31, 2009. Supervisor Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090911 [Accept and Expend Grant - Department of Public Health - \$90,463]

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from Public Health Foundation Enterprises, Inc., in the amount of \$90,463 to oversee and coordinate the research project for the period of April 10, 2009, through March 31, 2010. Supervisor Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090184 [Declaring emergency under California Constitution Article XIIIIC, Section 2(b) authorizing submission to voters of ordinance imposing a local assessment on all vehicles in San Francisco that are subject to Department of Motor Vehicle registration]

Resolution declaring an emergency under California Constitution Article XIIIIC, Section 2(b) and authorizing submission of Ordinance that adopts and submits to the voters an ordinance amending the San Francisco Business and Tax Regulations Code to add Article 8 imposing a voter-approved local assessment on the privilege of a resident of the City and County to operate upon the public highways in the City and County a vehicle or trailer coach, the registrant of which is subject to tax under Part 5 (commencing with Section 10701) of the California Revenue and Taxation Code, at a rate not to exceed the difference between two percent of the market value of the vehicle or trailer coach and the rate imposed by the State of California pursuant to Section 10751 of the Revenue and Taxation Code, administered by the State Department of Motor Vehicles; acknowledging that State law has not yet been enacted authorizing the imposition of the assessment but approving imposition of such a charge at the specified rate when and if State law authorizes the City to impose it and directing its submission as a general tax measure for voter approval at the November 3, 2009, general municipal election. Supervisors Chiu, Duffy, Mirkarimi presented. REFERRED WITHOUT RECOMMENDATION.

Requests for Hearing

090903 [Comprehensive Annual Financial Report of City's external auditors for FY 2007-2008]

Hearing to receive the Comprehensive Annual Financial Report (CAFR), single audit report of City's external auditors (Macias Gini & O'Connell, KPMG, Hood and Strong, and Williams Adley & Co.) audit for FY 2007-2008 and to present their management letters, if any. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

090904 [City's external auditors audit plans for FY 2008-2009]

Hearing on audit plans of the City's external auditors, Macias Gini & O'Connell and KPMG, for FY 2008-2009. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

090867 [Zoning - Planning Code amendments in connection with the 2009 Bicycle Plan]

Ordinance amending the San Francisco Planning Code by amending Sections 155, 155.1, 155.4, and 155.5 in connection with the 2009 Bicycle Plan; and making various findings, including environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department) . ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090868 [Bicycle Plan adoption and related General Plan amendments]

Ordinance adopting the 2009 San Francisco Bicycle Transportation Plan; rescinding Ordinance No. 0109-05 in its entirety; amending the San Francisco General Plan in connection with the San Francisco Bicycle Plan; adopting environmental findings and findings that the General Plan amendment is consistent with the General Plan and eight priority policies of Planning Code Section 101.1; and authorizing official acts in connection thereto. (Planning Department) . ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

090869 [Approval of SFPUC New Irvington Tunnel Construction Management Contract]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Water System Improvement Program-funded Professional Service Agreement No. CS-918, New Irvington Tunnel Construction Management Services, with Hatch Mott MacDonald, for an amount not to exceed \$15,000,000 with a term of up to five (5) years, pursuant to San Francisco Charter Section 9.118. (Public Utilities Commission) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

090883 [Airport Concession Lease]

Resolution approving Amendment No. 3 to the Boarding Areas "B" and "C" Principal Retail Concession Lease No. 98-0228 between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

090884 [Dissolution of San Francisco Airport Improvement Corporation]

Resolution approving the dissolution of the San Francisco Airport Improvement Corporation, the appointment of directors, and related matters. (Airport Commission) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – July 14, 2009

Board Minutes for June 9, 2009 and June 16, 2009 approved.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

To: Chief, SF Police Department

Requesting/Inquiring: Requesting the Department of Public Works and the San Francisco Police Department to report on the status of removing police barricades left from the 2009 Bay to Breakers behind the Muni Bus stop at the corner of Hayes and Pierce.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore & Post

Southwest corner of Divisadero & Sutter

9th Avenue & Judah (near bus stops)

7th Avenue & Irving (near bust stops)

Northwest corner of Hayes & Fillmore

Southeast corner of Fillmore & Haight

San Francisco Chronicle

Northwest corner of Fillmore & Hayes

Southeast corner of Haight & Fillmore

Irving & 9th Avenue

Irving & 7th Avenue

Southwest corner of Haight & Clayton

Southeast corner of Haight & Masonic

Examiner

Northwest corner of Fillmore & Hayes

Southeast corner of Haight & Fillmore

SF Daily

Northwest corner of Hayes & Gough

City Star

Northwest corner of Hayes & Gough

Southeast corner of Fillmore & Haight

SF Weekly

Southeast corner of Masonic & Haight & Southeast corner of Haight & Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans

In front of Ella Hill Hutch Community Center on McAllister near Webster

Northeast corner Clayton & Golden Gate

Northeast corner Masonic & Haight

Northeast corner Central & Grove

Mailbox

Northeast corner Laguna & Fell

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations: On Fillmore & Golden Gate, in the middle of intersection.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

845 Divisadero

659 Central

857 Divisadero

312 Divisadero

1801 Fulton

350 Laguna

355 Laguna

652 Central

250 Steiner

796 Haight

Rosa Parks Senior Center, on the Golden Gate Street side

901 Haight

909 Haight

1301 Haight

1305 Haight

1399 Haight

1584 Haight

537 Schrader

1500 Page
872 Haight
796 Haight
160 Pierce
591 Haight
542 Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Pole

Southwest corner Lassaunt & Fillmore
Southwest corner Scott & Fulton
Southeast corner Baker & Fulton

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes

Southwest corner Broderick & Fulton
Southwest corner Haight & Fillmore
Southeast Waller & Buchanan
In front of 1633 Fulton
Southeast corner Shrader & Hayes
Southeast corner Central & Fulton
Southeast corner Fell & Broderick
In front of 235 Buchanan

Bus Shelters

Southwest corner Hayes & Fillmore
Southeast corner McAllister & Webster
Northeast corner Buena Vista East & Haight
Northeast corner McAllister & Pierce
In front of 500 Fillmore
Southeast corner McAllister & Fillmore
Northwest corner Masonic & Haight
Northwest corner Divisadero & Haight
Southwest corner Pierce & Haight
Fillmore and Haight (all 4 bus stops, graffiti and grime)

Emergency Boxes

Southwest corner Laguna & Golden Gate

Northwest corner McAllister & Fillmore
Northeast corner McAllister & Steiner

In Memoriams

Marylouise Allen Lovett – Supervisor Dufty
Larry Lattimore - Supervisors Mar and Avalos
Xavier Gillette – Supervisor Mirkarimi
Dr. Gary Tobin – Supervisor Mirkarimi

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Ordinances

090931 [Rental Subsidy Program for Low-Income Families]

Ordinance adding Sections 48.1 through 48.7 to the San Francisco Administrative Code creating the Rental Subsidy Program for Low-Income Families that establishes a need-based local housing subsidy for homeless families subject to the fiscal and budgetary provisions of the Charter. Supervisor Avalos presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090933 [Unpermitted Subsidewalk Encroachment into Public Right of Way]

Ordinance amending Article 15 of the San Francisco Public Works Code by adding Section 723.3, establishing that an unpermitted subsidewalk encroachment into the public right of way along the Central Subway Corridor constitutes a public nuisance. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

090934 [Public Works Code - Appellate body for minor sidewalk encroachments]

Ordinance amending Public Works Code Section 723.2 to change the appellate body for Minor Sidewalk Encroachment Permits for subsidewalk encroachments from the Board of Appeals to the Board of Supervisors. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

090938 [San Francisco Special Tax Financing Law]

Ordinance to amend the San Francisco Administrative Code Special Tax Financing Law, constituting Article 43.10, to authorize water conservation and water pollution control equipment and improvements as facilities eligible for funding through the formation of special tax districts, the imposition of special taxes, and the issuance of bonds secured by special tax funds and related technical amendments. Supervisor Mar presented. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

090554 [Building Code - Registration of Vacant/Abandoned Buildings; Maintenance and Security Requirements; Annual Fee and Penalties for Violation]

Ordinance amending the San Francisco Building Code by adding Section 103A.4 to require the owner of a vacant or abandoned building to register the building with the Department of Building Inspection, require the owner to maintain the grounds and the exterior and interior of the building secured and in good condition, and provide that a property in violation of the requirements is a public nuisance; and by amending Section 110, Table 1A-J to establish an annual registration fee; adopting environmental and other findings. Supervisors Chiu, Duffy presented. SUBSTITUTED.

Resolutions

090930 [Renew Joint Powers Agreement with State and Accept and Expend up to \$2,249,136]

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively contract for, accept and expend up to \$2,249,136 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Joint Powers Agreement for the period of July 1, 2009, through June 30, 2012. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090932 [Accept and Expend Grant - HIV Testing and Counseling in STD Clinics - \$122,160]

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the University of Miami in the amount of \$122,160 to perform a randomized clinical trial comparing the relative efficacy and cost-effectiveness of two HIV testing strategies; for the period of September 30, 2009, through September 29, 2011. Supervisor Campos presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090935 [Resolution to establish the Greater Union Square Business Improvement District]

Resolution establishing a property-based business improvement district to be known as the "Greater Union Square Business Improvement District (BID)," by renewing and expanding the previously established Union Square BID; approving the amended management district plan and engineer's report and boundaries map; ordering the levy and collection of assessments against property located in the Greater Union Square BID for ten years, commencing with FY 2009-2010, subject to conditions as specified; and making environmental findings. Supervisor Chiu presented. ASSIGNED to Board of Supervisors.

090936 [Opposing State Senate Bill 792 Tidelines and submerged land: Candlestick Point]

Resolution urging California State Legislators to oppose State Senate Bill 792 Tidelines and submerged land: Candlestick Point which would allow the sale of 42 acres of state parkland including parts of the Candlestick Point State Park for private development. Supervisors Daly, Avalos presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

090937 [Accept and Expend Federal Grant - Airport Commission - \$700,500]

Resolution authorizing the Airport Commission to retroactively accept and expend funding in a total amount of \$700,500 from the Transportation Security Administration for the Airport K-9 Explosives Detection Team Program. Supervisor Elsbernd presented. RECEIVED AND ASSIGNED to Public Safety Committee.

090939 [Adoption of Local Goals and Policies for Mello-Roos Community Facilities Districts]

Resolution adopting local goals and policies for Mello-Roos Community Facilities Districts. Supervisor Mar presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090940 [Jewish Home of San Francisco Psychiatric Facilities - Designation Agreement]

Resolution designating Jewish Home of San Francisco as an Evaluation and Treatment Facility for individuals 75 years and older; and authorizing the Director for Community Behavioral Health Services to enter into a Designation Agreement with said facility. Mayor presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090943 [Accept and Expend State Grant - Chief of Police - \$25,000]

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$25,000 from the California Department of Fish and Game for the purchase of oil spill response equipment. Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090944 [Renew Revolving Fund Agreement with State - \$75,000]

Resolution authorizing the Office of the District Attorney of the City and County of San Francisco to renew its current agreement with the California Victim Compensation and Government Claims Board, an agent of the State of California, for a revolving fund in the amount of \$75,000 to be used to pay for verified funeral/burial expenses for eligible homicide victims and emergency relocation for victims of domestic violence and sexual assault for an additional two years from July 1, 2009, through June 30, 2011. Supervisor Avalos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090945 [Accept and Expend State Grant - Office of the District Attorney up to \$88,538]

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively contract for, accept and expend up to \$88,538 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Criminal Restitution Compact for the period of July 1, 2009, through June 30, 2010. Supervisor Avalos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090946 [Accept and Expend Grant - Department of Public Health - \$22,566]

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the World Health Organization in the amount of \$22,566 to revise the document "Guide for HIV surveillance in low-level and concentrated epidemics;" for the period of June 15, 2009, through September 15, 2009. Supervisor Campos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090947 [Avoiding new foreign fossil fuel dependence in San Francisco's electricity supply]

Resolution asking Pacific Gas & Electric Corporation to end partnership in the "Pacific Connector" pipeline. Supervisor Daly presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090948 [Accept and Expend Regional Grant - Department of the Environment - \$10,000]

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$10,000 from Altamont Education Advisory Board to expand recycling and lunchroom composting programs at schools in San Francisco. Supervisor Mar presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090949 [Accept and Expend Regional Grant - Department of the Environment - \$15,000]

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$15,000 from the San Francisco Foundation to implement the San Francisco Urban Gleaning Project. Supervisor Mar presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

090950 [Calling File Nos. 090868 and 090867 from Committee to the full Board of Supervisors, and calling for the Board to sit as a Committee of the Whole on August 4, 2009]

Motion calling from the Land Use & Economic Development Committee, File Nos. 090868 [Bicycle Plan adoption and related General Plan amendments] and 090867 [Zoning - Planning code amendments in connection with the 2009 Bicycle Plan]; and calling for the Board to hear these items as the Committee of the Whole on August 4, 2009. Supervisor Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings

090870 [Hearing - Greater Union Square Business Improvement District]

Hearing scheduled for July 28, 2009, at 3:00 p.m., to hear persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Greater Union Square Business Improvement District (BID)," by renewing and expanding the previously established Union Square BID; approving the amended management district plan and engineer's report and boundaries map; ordering the levy and collection of assessments against property located in the Greater Union Square BID for ten years, commencing with FY 2009-2010, subject to conditions as specified; and making environmental findings. (Clerk of the Board). SCHEDULED FOR PUBLIC HEARING.

090926 [California Healthy Families Program]

Hearing to discuss the State's budget cuts to the California Healthy Families Program, evaluate the City's commitment to universal healthcare for children and youth, and identify solutions that guarantee every child access to health insurance. Supervisor Alioto-Pier presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090927 [San Francisco Municipal Transportation Agency safety procedures]

Hearing on the safety procedures of the San Francisco Municipal Transportation Agency in light of the serious accident that occurred at the West Portal Station on Saturday, July 18, 2009. MUNI will be asked to detail its safety strategies and procedures that are currently in place to prevent such crashes from occurring again, and what safety assessments and enhancement procedures MUNI is considering to ensure the future safety of MUNI riders and pedestrians in the City and County of San Francisco. Supervisor Duffy presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090928 [San Francisco Municipal Transportation Agency safety standards]

Hearing addressing San Francisco Municipal Transportation Agency safety standards, including medical screening procedures for SFMTA bus and light rail operators. Request additional information about the rules concerning switching light rail vehicles between automatic and manual operation, including any communication from the Transit Workers Union to SFMTA related to this subject. Supervisor Elsbernd presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090929 [Port of San Francisco's Request for Proposals for a Concrete Batching or Asphalt Production Lease at Seawall Lot 352, Pier 94]

Hearing to consider the Port of San Francisco's Request for Proposals for a Concrete Batching or Asphalt Production Lease at Seawall Lot 352, Pier 94 and the Department of Public Works' findings regarding the Municipal Asphalt Plant located at 1801 Jerrold Street. Supervisor Elsbernd presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED ORDINANCES

090895 [Settlement of Lawsuit - Linda Caratti - \$80,000]

Ordinance authorizing settlement of the lawsuit filed by Linda Caratti against the City and County of San Francisco for \$80,000; the lawsuit was filed on August 28, 2008, in San Francisco Superior Court, Case No. 479214; entitled Linda Caratti, v. City and County of San Francisco, et al.; other material terms of said settlement are the City and San Francisco Zoological Society agree to a mutual release of claims for indemnification. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

090896 [Settlement of Lawsuit - John Williams - \$27,000]

Ordinance authorizing settlement of the lawsuit filed by John Williams against the City and County of San Francisco for \$27,000; the lawsuit was filed on September 5, 2008, in San Francisco Superior Court, Case No. 479-512; entitled John Williams v. City and County of San Francisco, et al. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

090897 [Settlement of Lawsuit - Benson Chen - \$75,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Benson Chen against the City and County of San Francisco for \$75,000; the lawsuit was filed on November 2, 2007, in San Francisco Superior Court, Case No. 468791; entitled Benson Chen v. City and County of San Francisco, et al. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

090898 [Settlement of Lawsuit - Yue Kong Kam - \$102,327.06]

Ordinance authorizing settlement of the lawsuit filed by Yue Kong Kam against the City and County of San Francisco for \$102,327.06; the lawsuit was filed on June 19, 2008, in San Francisco Superior Court, Case No. 476-544; entitled Yue Kong Kam, et al. v. City and County of San Francisco, et al. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

090899 [Settlement of Lawsuits - United States of America - \$7,000,000]

Ordinance authorizing settlement of the two lawsuits filed by the United States of America against the City and County of San Francisco for \$7,000,000; the two lawsuits were filed on August 22, 2005, and September 6, 2007, in the United States District Court for the Eastern District of California, Case No. 2:05 CV 01693 entitled United States of America v. City and County of San Francisco, et al. and Case No. 1:07 CV 01300 entitled United States of America v. City and County of San Francisco, et al. and appropriating \$7,000,000 of fund balance from the Hetch Hetchy Fund for this purpose. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

090823 [Authorization for continued membership in 18 County CalWIN Consortium]

Resolution amending Resolution No. 1094-99 passed on December 6, 1999, to continue authority for the Department of Human Services to continue its membership in the 18 County CalWIN Consortium and authorizing the Director of the Human Services Agency to execute the necessary agreements for participation in the consortium's continued development, implementation, maintenance and operation of a computer system for the administration of public benefit programs in accordance with State requirements. This resolution will expand the expenditure authority from \$29,419,538 for an additional amount of \$13,110,600 from July 1, 2010, through July 31, 2013. The total project budget including this extension is \$42,530,138. Please note: State and Federal reimbursement is at 92% of \$42,530,138. County general fund portion is \$3,402,241 from 1999 through 2013. The County general fund portion for the extension period is \$1,048,848. (Human Services Department) . RECOMMENDED.

Clerk to Act – July 21, 2009

Board Minutes for June 23, 2009 approved.

Requests Granted

From: Supervisor Dufty

To: Controller

Requesting/Inquiring: Requesting the Controller to prepare a supplemental appropriation to restore reductions to various Grants for the Arts funded organizations.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following location: On Webster near Geary, east side of street.

From: Supervisor Mirkarimi

To: Director: Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Can

Northwest corner Fillmore and Haight

Mailboxes

Southeast corner Hayes and Buchanan

Southwest corner Pine & Divisadero

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore and Post

Southwest corner Divisadero and Sutter

9th Avenue and Judah (near bus stops)

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore

Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner

Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily

Northwest corner of Hayes and Gough

City Star

Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly

Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes

Southwest corner Fillmore and Fulton
Northeast corner Webster and Divisadero
Southeast corner Fell and Scott
Northwest corner Fulton and Fell
Southeast corner Lyon and Hayes

Bus Shelters

Northwest corner Masonic and Haight
Southwest corner Buchanan and Haight
Southwest corner Pierce and Haight
Fillmore and Haight (all 4 bus stops, graffiti and grime)

From: Supervisor Alioto-Pier

To: City Attorney

Requesting/Inquiring: Supervisor Alioto-Pier requests the City Attorney issue an opinion regarding the following letter:



MICHELA ALIOTO-PIER

July 21, 2009

The Honorable Dennis J. Herrera
City Attorney
1 Dr. Carlton B. Goodlett Place, Room 234
San Francisco, CA 94102

Dear Mr. Herrera,

As you may know, the California Legislature is considering a budget "deal" that could substantially reduce healthcare coverage for kids in our state. While the details remain to be seen, I would welcome your opinion on the following questions:

- If the State of California finalizes cuts to its Healthy Families budget that limit new enrollment or cause the loss of coverage, does the City and County of San Francisco have statutory authority to continue enrolling eligible children and youth?
- Could the City and County of San Francisco use First Five funding to cover healthcare coverage for children 0-5 years of age?
- Would additional statutory authority be needed for the Health Department or San Francisco Health Plan to enroll children and youth in Healthy San Francisco?
- In the absence of adequate state funding, is a local contribution by the City and County of San Francisco sufficient to leverage federal funds designated for children's health insurance?

As you know, the state suspended enrollment in Healthy Families on Friday, so your prompt reply is most appreciated. If your office has any questions or needs additional information, please contact Bill Barnes in my office at 415-554-7752.

Sincerely,

A large, stylized handwritten signature in black ink, reading "Michela Alioto-Pier".

MICHELA ALIOTO-PIER
Supervisor for District 2

From: Supervisor Alioto-Pier
To: Director, Department of Public Health
To: Director, San Francisco First Five Commission
To: Director, Department of Children, Youth, & Their Families
Requesting/Inquiring: Please share with us the impact of the enrollment freeze in the Healthy Families Program on San Francisco's children and youth, and provide policy options to address these impacts.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Pole

Northeast corner Fulton & Fillmore
On Fulton, near Central, south side

Wood Pole

In front of 1891 Page

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

927 Divisadero
937 Scott
799 Haight
542 Haight
295 Buchanan
478 Haight
503 Haight
561 Baker
1301 Haight
55 Laguna, on Haight and Buchanan sides
745 Buchanan
644 Lyon
603 Divisadero
1823 Divisadero
1700 McAllister
2186 Divisadero

In Memoriams

Bok Pon – Supervisor Chu
David Michael Ibarguen – Supervisor Duffy
Dolores Jean Robinson Toussaint – Supervisor Maxwell

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tel. No. 554-5184
TDD No. 554-5227

Legislation Introduced
Including All Off-Calendar Items
July 28, 2009

OFF-AGENDA LEGISLATION

GOVERNMENT
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Ordinances

090960 [Honoring small local businesses during Small Business Month]

Ordinance amending the San Francisco Administrative Code by requiring the Small Business Commission to declare one month out of the year "Small Business Month" and to recognize small local businesses during the Small Business Month. Supervisor Alioto-Pier presented. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

090961 [De-appropriating \$510,006 of General Fund restorations to the Department of Children, Youth and Their Families to restore reductions to Grants for the Arts in the General Services Agency, City Administrator for FY 2009-2010]

Ordinance de-appropriating \$510,006 of General Fund restorations to the Department of Children, Youth and Their Families to restore reductions to Grants for the Arts funding in the General Services Agency, City Administrator for FY 2009-2010. Supervisor Duffy presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090962 [Zoning - Amending the Citywide definition of Tobacco Paraphernalia Establishments by lowering the threshold for retail stores to be considered Tobacco Paraphernalia Establishments]

Ordinance amending the Planning Code to amend the definition of Tobacco Paraphernalia Establishments in Section 227(v), to lower the threshold for retail stores to be considered Tobacco Paraphernalia Establishments from 15% of the square footage of the establishment to 10% of the occupied floor area, as defined in Section 102.10, or 10 linear feet of display area in total, whichever is less; amending Sections 790.123 and 890.123 to reflect this amended definition; amending Section 723.1 and the Table at Section 723, to make Tobacco Paraphernalia Establishments, as defined, not permitted in the Polk Street Neighborhood Commercial District; amending Section 186.1, to change the period of non-use for a non-conforming Tobacco Paraphernalia Establishment use to be deemed discontinued in the Polk Street Neighborhood Commercial District from three years to eighteen months, and making findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings. Supervisor Chiu presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090964 [Appropriating \$146,898,046 to fund construction of the Public Utilities Commission's Headquarters Building at 525 Golden Gate Avenue for FY 2009-2010, and adopting environmental findings]

Ordinance appropriating \$146,898,046, including \$120,289,000 in Certificates of Participation and \$26,609,046 in Hetch Hetchy unappropriated fund balance to fund construction of the new Public Utilities Commission headquarters building at 525 Golden Gate Avenue for the Public Utilities Commission in FY 2009-2010 and placing \$120,289,000 on Controller's reserve pending the sale of Certificates of Participation, and adopting environmental findings. Mayor, Supervisor Duffy presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

- 090963 [Interim Zoning Controls requiring conditional use authorization for Tobacco Paraphernalia Establishments, as defined, in the Polk Street Neighborhood Commercial District]
Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for Tobacco Paraphernalia Establishments, as defined, and subject to specified exceptions, in the Polk Street Neighborhood Commercial District, for a one year period, and making findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 090965 [Certificates of Participation for 525 Golden Gate Avenue]
Resolution approving the form of and authorizing the distribution of a preliminary official statement relating to the issuance of City and County of San Francisco certificates of participation and authorizing the preparation, execution and delivery of a final official statement; delegating to the Director of Public Finance the authority to sell the certificates by either a competitive or negotiated sale; ratifying the approvals and terms and conditions of a previous resolution; and related matters. Mayor, Supervisor Duffy presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090966 [Opposing BART surcharge]
Resolution opposing BART surcharge on SFO employees. Supervisors Chiu, Duffy, Campos, Mirkarimi, Maxwell presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090967 [Approving the plan to allow a gated \$10 admission charge to the Lovevolution Festival in Civic Center Plaza, pending the approval of the Interdepartmental Staff Committee on Traffic and Transportation]
Resolution approving the plan to allow a gated \$10 admission charge to the Lovevolution Festival in Civic Center Plaza, which is scheduled to take place on Saturday, October 3, 2009, pending the approval of the Interdepartmental Staff Committee on Traffic and Transportation. Supervisor Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090968 [Supporting President Obama's principles for national health care reform]
Resolution supporting President Obama's principles for national health care reform. Mayor, Supervisors Chiu, Mar, Maxwell, Duffy, Mirkarimi, Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 090969 [Lease purchase financing for the acquisition of replacement emergency back-up electric generators for San Francisco General Hospital not to exceed \$25,000,000]
Resolution authorizing the Executive Administrator of the San Francisco General Hospital to obtain lease purchase financing in an amount not to exceed \$25,000,000 for the acquisition of replacement emergency back-up electric generators for San Francisco General Hospital; approving the form of a lease purchase financing agreement between San Francisco General Hospital and a lender named therein, and approving and ratifying previous actions taken in connection therewith. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motion

- 090942 [Closed Session - Potential Litigation regarding proposed State Constitutional Amendment No. 09-0015]
Motion requesting a closed session for the purpose of receiving a briefing from the City Attorney regarding potential litigation regarding proposed State Constitutional Amendment No. 09-0015. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

090878 [Settlement of Lawsuits - John Tennison and Antoine Goff totaling \$7,500,000]

Ordinance authorizing settlement of the lawsuits filed by John Tennison and Antoine Goff against the City and County of San Francisco for the total amount of \$7,500,000. The John Tennison lawsuit was filed on February 11, 2004, in the United States District Court for the Northern District of California, Case No. C04-0574 CW; entitled John Tennison, et al., v. City and County of San Francisco, et al. and will be settled by the payment of \$4,600,000. The Antoine Goff lawsuit was filed on April 27, 2004, in the United States District Court for the Northern District of California, Case No. C04-1643 CW; entitled Antoine Goff, et al., v. City and County of San Francisco, et al. and will be settled by the payment of \$2,900,000. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

090916 [Approving one fuel contract estimated to exceed \$10 million]

Resolution approving the Agreement between the City and Western States Oil for gasoline and diesel fuel, which is estimated to exceed \$10 million, pursuant to Charter Section 9.118(b). (Office of Contract Administration) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

090917 [Authorizing the Office of Contract Administration to enter into fuel-related cooperative purchasing agreements with other public entities and non-profits made up of public entities and charge an administrative fee for use of the City's fuel contract]

Resolution authorizing the Director of the Office of Contract Administration (Purchaser) to enter into fuel-related cooperative purchasing agreements with other public entities and non-profits made up of public entities to maximize efficient buying and take advantage of bulk purchases and providing for an administrative fee to be charged to other public entities to cover the costs of the City program. (Office of Contract Administration) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

090918 [Grant and Cooperative Agreement with Metropolitan Transportation Commission not to exceed \$29,150,000]

Resolution authorizing the San Francisco Municipal Transportation Agency to enter into a Grant and Cooperative Agreement with the Metropolitan Transportation Commission to procure, through existing TransLink® contracts, new SFMTA TransLink®-only fare collection equipment and related support services, for an amount not to exceed \$29,150,000, to help complete the rollout of the regional TransLink® smartcard system. (Municipal Transportation Agency) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – July 28, 2009

Board Minutes for June 30, 2009 approved.

Requests Granted

From: Supervisor Alioto-Pier

To: Budget Analyst

Requesting/Inquiring: Requesting the Budget Analyst to prepare a report on the status of recommendations of its management audit of the Marina Yacht Harbor dated March 10, 2008.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes

Southwest corner Fillmore & McAllister

Southeast corner Scott & Fell

Southeast corner Fillmore & Oak

Southwest corner Golden Gate & Scott

Southeast corner Turk & Scott

Southeast corner Turk & Baker

Southeast corner Golden Gate & Masonic

Southeast corner Golden Gate & Lyon

Bus Shelters

Southwest corner Divisadero & Geary

Fillmore & Haight (all 4 bus stops, graffiti & grime)

Emergency Boxes

Northeast corner Lyon & Haight

Southeast corner Steiner & Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Pole

Northeast corner Page & Scott

Across from 531 Pierce

Northwest corner Masonic & Golden Gate

In front of 2013 Golden Gate

Northeast corner Baker & Golden Gate
In front 1449 Golden Gate
In front 1157 Fell
In front of 224 Haight

Wood Pole

In front of 500 Fillmore
In front of 415 Buchanan

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

1200 Divisadero
605 Webster
643 Webster
501 Fillmore
1299 Haight
1366 Haight
1399 Haight
909 Haight
906 Haight
875 Haight
2345 Post
1204 Divisadero
507 Divisadero
445 Webster
295 Buchanan
427 Pierce
320 Steiner
10 Haight
485 Scott
1105 Turk
2115 Golden Gate
1030 Fell
1174 Fell
1303 Fell
600 Stanyan
1667 Haight
1366 Haight
1317 Haight
1301 Haight
423 Haight
345 Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following location: 1288 – 6th Avenue, south bound lane of 6th Avenue.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans

Northwest corner Fillmore & Haight
Southeast corner Fell & Fillmore

Mailboxes

Southeast corner Fulton & Laguna
Southwest Golden Gate & Divisadero
Northwest corner Post & Pierce
Northeast corner Golden Gate & Scott
Northeast corner Baker & Golden Gate

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore & Post
Southwest corner of Divisadero & Sutter
9th Avenue & Judah (near bus stops)
7th Avenue & Irving (near bus stops)
Northwest corner of Hayes & Fillmore
Southeast corner of Fillmore & Haight

San Francisco Chronicle

Northwest corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore
Irving & 9th Avenue
Irving & 7th Avenue
Southwest corner of Haight & Clayton
Southeast corner of Haight & Masonic

Examiner

Northwest corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore

SF Daily

Northwest corner of Hayes & Gough

City Star

Northwest corner of Hayes & Gough

Southeast corner of Fillmore & Haight

SF Weekly

Southeast corner of Masonic & Haight & Southeast corner of Haight & Fillmore

In Memoriams

Mark Guerra – Supervisor Elsbernd

Elbert (Bud) Wilson – Supervisors Elsbernd, Dufty, and Chiu

Claude Attucks Everhart – Supervisor Maxwell

BOARD of SUPERVISORS



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Legislation Introduced
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August 4, 2009

OFF-AGENDA LEGISLATION

GOVERNMENT
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Ordinances

- 090985 [Setting San Francisco's FY 2009-2010 property tax rate and establishing pass-through rate for residential tenants]
Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2010. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090986 [Setting San Francisco Community College District's FY 2009-2010 property tax rate to be included in the City's overall property tax rate]
Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2010. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090987 [Setting San Francisco Unified School District's FY 2009-2010 property tax rate to be included in the City's overall property tax rate]
Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2010. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090988 [Setting San Francisco Bay Area Rapid Transit District's FY 2009-2010 property tax rate to be included in the City's overall property tax rate]
Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2010. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090989 [Campaign Finance Reform Ordinance amendments]
Ordinance amending Article I, Chapter I of the Campaign & Governmental Conduct Code by amending sections 1.100, 1.104, 1.107, 1.108, 1.112, 1.113, 1.114, 1.118, 1.122, 1.128, 1.130, 1.134, 1.135, 1.136, 1.140, 1.142, 1.144, 1.146, 1.148, 1.150, 1.152, 1.156, 1.161, 1.161.5, 1.168, 1.170, deleting sections 1.134.5, 1.158, and 1.160, and adding sections 1.109, 1.143, 1.171, and 1.175 to refine and conform definitions; to eliminate and streamline reporting requirements; to authorize greater electronic filing; to adjust expenditure ceilings for inflation; to clarify the permissible uses of campaign funds; to provide that certain candidates are eligible to accept Voluntary Expenditure Ceilings; to set forth the instances in which the Ethics Commission will lift Voluntary Expenditure Ceilings; to modify how public funds are disbursed to eligible candidates; to clarify the requirements for third-party reporting; to amend the statute of limitations for administrative actions; and to impose record retention requirements on local committees. Supervisor Daly presented. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

090990 [Technology Capital Planning]

Ordinance amending the San Francisco Administrative Code by amending Sections 3.2, 3.20 and 3.21 and adding Sections 3.27, 3.28 and 10.100-287 to establish a requirement for a ten-year Technology Investment Plan, a Technology Planning Committee, and a Technology Capital Planning Fund. Supervisor Dufty presented. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

090991 [Prohibiting members of City boards and commissions from obtaining City employment]

Ordinance amending Chapter 2 of Article III of the Campaign and Governmental Conduct Code to prohibit members of City boards and commissions from obtaining employment with the City during their tenure and for one year after the termination of their City service. Supervisors Mar, Avalos, Campos, Mirkarimi, Chiu, Daly presented. RECEIVED AND ASSIGNED to Rules Committee.

090992 [Recreation and Park - Farmers' Market Fees - \$475 per market location for six months]

Ordinance amending San Francisco Park Code Section 7.21 to establish farmers' market fees at \$475 per market location for six months of operation. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090319 [Zoning - Providing for a Five Feet Special Height Exception for Active Ground Floor Uses in NC-1 Designated Parcels Along Randolph and Broad Streets, from 19th Avenue to San Jose Avenue]

Ordinance amending the San Francisco Planning Code by amending Section 263.20 to provide for a special height exception for ground floor uses in NC-1 designated parcels along Randolph and Broad Streets, from 19th Avenue to San Jose Avenue; amending Section 710.1, to refer to this special height exception; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. Supervisor Avalos presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee. – SUBSTITUTE

Resolutions

090993 [Acquisition of Muni Fillmore Substation at 1190 Fillmore Street]

Resolution approving the acquisition of real property with improvements located at 1190 Fillmore Street (at Turk Street), together with a Certificate for 171,308 units of Transferable Development Rights and \$135,225 in predevelopment planning funds from the San Francisco Redevelopment Agency for the rehabilitation of the Muni Substation, at no cost to the City. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090994 [Certificates of Participation for multiple capital improvement projects]

Resolution approving the form of and authorizing the distribution of a preliminary official statement relating to the execution and delivery of City and County of San Francisco Certificates of Participation and authorizing the preparation, execution and delivery of a final official statement; delegating to the Director of Public Finance the authority to sell the certificates by either a competitive or negotiated sale; ratifying the approvals and terms and conditions of a previous resolution; declaring the official intent of the City and County of San Francisco to reimburse itself from the proceeds of future bonded indebtedness for purposes of complying with the Internal Revenue Code of 1986, as amended; and related matters. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

090995 [Urging the Federal Communications Commission to conduct a comprehensive investigation on hate speech in the media and to update the 1993 report on the Role of Telecommunications in Hate Crimes]

Resolution urging the Federal Communications Commission to conduct a comprehensive investigation on hate speech in the media, allowing public participation via public hearings, and to update the 1993 report on the Role of Telecommunications in Hate Crimes, including public participation via public hearings. Supervisors Campos, Avalos, Chiu, Dufty, Daly, Mar, Mirkarimi, Maxwell presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

090996 [Recognizing and honoring Tim Reagan's contribution to social justice and workers' rights]

Resolution acknowledging Tim Reagan's contributions to the struggle for social justice and workers' rights for more than two decades. Supervisor Daly presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

090997 [Authorizing preparation of Proponent/Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 3, 2009, Election]

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 3, 2009, Election. (Clerk of the Board) . REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

090983 [Shelter Reservation Extension Policy]

Hearing to discuss the amended changes to the Shelter Reservation Extension Policy. Supervisor Daly presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

090984 [Impact of State budget cuts on the operations of the San Francisco Unified School District]

Hearing to discuss the impact of State budget cuts to education on the San Francisco Unified School District. Hearing will examine the San Francisco Unified School District's projected \$61 million deficit over two years as well as plans for dealing with an anticipated \$400 decrease in spending per pupil this year. Supervisors Elsbernd, Mar presented. RECEIVED AND ASSIGNED to City and School District Select Committee.

Clerk to Act – August 4, 2009

Board Minutes for July 7, 2009 approved.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes

Southwest corner Fulton & McAllister

Southeast corner McAllister and Fillmore

Near 1140 Oak

Southeast corner Fell and Buchanan

Northeast corner McAllister and Gough

Northeast corner Gough and Fulton

Bus Shelters

Northeast corner Hayes and Broderick

Northeast corner Geary and Scott

Northeast corner Fillmore and Hermann

Fillmore and Haight (all 4 bus stops, graffiti and grime)

Emergency Boxes

Northwest corner Post and Webster

Northeast corner Hayes and Broderick

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Pole

Northeast corner Boswell and Geary

Northwest corner Fillmore and Waller

Southeast corner Sutter and Laguna

Southwest corner Laussant & Fillmore

Wood Pole

Northwest corner Haight and Webster

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

537 Shrader

1140 Oak

1144 Oak

250 Scott

485 Scott

546 Haight

800 Hayes

295 Buchanan

478 Haight

583 Haight

536-538 Haight

350 Laguna

355 Laguna

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following location: Sidewalk in front of 478 Haight, metal grate is missing, plywood has been placed over it, Safety Hazard.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans

Southeast corner Hayes and Steiner

Northwest corner Fillmore and Haight

Northeast corner Haight and Fillmore

Southwest corner Fillmore and Waller

Mailboxes

Southeast corner Fulton and Laguna

Southwest Golden Gate and Divisadero

Street Wall and Overpasses

Overpass – Northeast side of Geary and Webster

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner

Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily

Northwest corner of Hayes and Gough

City Star

Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly

Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore

In Memoriams

John Joseph Conneely – Supervisor Alioto-Pier
Shirley Malloy – Supervisor Chiu
Jamie Xelowski – Supervisor Daly
Nir Katz – Supervisors Dufty and Campos
Liz Tarbushi – Supervisors Dufty and Campos
Sydna Konstin – Supervisors Dufty and Chiu
Don Brown – Supervisor Dufty
Gregory Robert Morris – Supervisor Elsbernd

BOARD of SUPERVISORS



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**Legislation Introduced
Including All Off-Calendar Items
August 11, 2009**

OFF-AGENDA LEGISLATION

GOVERNMENT
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Introduced by Supervisors or Mayor

Ordinances

091013 [Application of City's conflict of interest laws to City officers]

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by amending sections 3.222 and 3.224 to clarify the application of prohibitions to City officers, and by adding sections 3.201 and 3.203 to name the Government Ethics Ordinance, to permit waiver of contracting prohibition, and to define "officer." Supervisor Elsbernd presented. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

091014 [Planning Code-Conditional Use Requirement for Nail Salons in the West Portal Avenue Neighborhood Commercial District]

Ordinance amending the Planning Code by amending Section 729 to add new Subsection 729.52A and adding new Section 790.115 to require conditional use authorization in the West Portal Avenue Neighborhood Commercial District for certain personal service nail salons, as defined; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. Supervisor Elsbernd presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

091015 [Reimbursement to City for dignitary security provided during campaign-related travel by elected officials]

Ordinance adding a new Chapter 6 to Article III of the Campaign and Governmental Conduct Code, by adding sections 3.600, 3.605 and 3.610, to require City elective officers to reimburse the City for the cost of dignitary security provided by the City during travel for campaign-related activities or meetings. Supervisors Mirkarimi, Campos, Avalos, Daly presented. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

Resolutions

091012 [Board review and approval of 2009 U.S. Department of Housing and Urban Development Continuum of Care Programs Application]

Resolution approving the City and County of San Francisco 2009 Grant Application for the United States Department of Housing and Urban Development Continuum of Care Programs and fulfilling the San Francisco Board of Supervisors review and approval process for all annual or otherwise recurring grants of \$5,000,000 or more. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 091016 [Contract between the Department of Public Health and the San Francisco Community Health Authority to provide Provider Payment services for the Healthy San Francisco program]
Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to retroactively contract with the San Francisco Community Health Authority to provide Provider Payment services for the Healthy San Francisco program for the term of July 1, 2009, through June 30, 2010. Mayor, Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091017 [Supporting the Children's Defense Fund Health Coverage for All Children Campaign]
Resolution supporting the Children's Defense Fund's Health Coverage for All Children Campaign. Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091018 [FY 2009-2010 California Constitution Appropriations Limit]
Resolution establishing the appropriations limit for FY 2009-2010 pursuant to California Constitution Article XIII B. Supervisor Avalos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091019 [Reaffirming the Board of Supervisors' support for the expeditious completion of the Mexican Museum Project at the Yerba Buena Garden site]
Resolution reaffirming the Board of Supervisors' support for the Mexican Museum project, and calling upon all parties, including the San Francisco Redevelopment Agency, Millennium Partners, the San Francisco Arts Commission, and Fort Mason to support the expeditious completion of the project, including helping the Mexican Museum retain its lease with Fort Mason concurrent with and through the development, construction and actualization of the Mexican Museum project at the Yerba Buena Garden site. Supervisors Campos, Alioto-Pier, Avalos, Chiu, Daly, Dufty, Mar, Maxwell, Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

- 091010 [Department of Children, Youth, and their Families' Children's Services Allocation Plan FY 2010-2013]
Hearing on Department of Children, Youth, and their Families' Children's Services Allocation Plan for FY's 2010-2013 "Raising San Franciscans Together." Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091011 [Training center in the Bayview]
Hearing on the GoSolarSF and SolarCity's promise to develop a training center in the Bayview. Supervisors Daly, Mirkarimi, Avalos, Campos, Maxwell presented. RECEIVED AND ASSIGNED to Rules Committee.

Motion

- 090942 [Closed Session - Potential Litigation regarding proposed State Constitutional Amendment No. 09-0015]
Motion to convene in closed session for the purpose of receiving a briefing from the City Attorney regarding potential litigation regarding proposed initiative State Constitutional Amendment No. 09-0015 "New two-thirds vote requirement for local public electricity providers." Supervisor Mirkarimi presented. SUBSTITUTED.

PROPOSED ORDINANCES

090791 [Changing the official sidewalk width - 20th, Minnesota, and Indiana Streets]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1584 to change the official sidewalk width on the north side of 20th Street between Minnesota and Indiana Streets, southwest corner of 20th and Minnesota Streets, and southeast corner of 20th and Indiana Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department) . RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

090780 [Revisions to Division I of the San Francisco Transportation Code]

Ordinance amending San Francisco Transportation Code, Division I, by amending Sections 3.4, 6.7, 7.2.12, 7.2.26, 7.2.27, 7.2.28, 7.2.29, 7.2.71, 7.2.80, 7.2.101, 7.3.3 and 8.1 to change existing posting requirements for temporary parking restriction signs; amend the requirements for street barricades for street fairs; provide that yellow or white zones may be indicated by either yellow or white paint on the curb or signage; provide a three minute time limit for noncommercial vehicles parked in yellow zones; provide a three consecutive day on-street parking restriction instead of seven consecutive days; provide that any violation of Division II, Section 903 is a violation of Section 7.2.71; prohibit taxicab operators from leaving a vehicle unattended in certain use districts; provide that persons are prohibited from boarding a Municipal Railway vehicle in revenue service through the rear exit while the vehicle is operating on a transit line unless on a line, route or location designated by the SFMTA; provide that four or more violations of Section 7.2.71 within one year constitute a misdemeanor; repeal noticing requirements for towing vehicles on public streets; and clarify applicable restrictions and references to Division II; and repealing Section 7.2.44 prohibiting parking on designated streets near Candlestick Park. (Municipal Transportation Agency) . ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

090879 [Approving amendment to engineering services agreement for SFPUC New Irvington Tunnel Project]

Resolution approving and authorizing the General Manager of the San Francisco Public Utilities Commission to execute an amendment to increase the amount of a professional services agreement with URS Corporation by \$3,900,000, for a total revised agreement amount of \$13,898,561, and extend the agreement term by one year for a total revised agreement term of eight years, pursuant to San Francisco Charter Section 9.118. (Public Utilities Commission) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

090979 [CEQA findings for San Francisco Public Utilities Commission Water System Improvement Program Bay Division Pipeline Reliability Upgrade Project in Alameda and San Mateo Counties]

Resolution adopting findings under the California Environmental Quality Act ("CEQA"), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Bay Division Pipeline Reliability Upgrade Project, CUW 36801, 36802 and 36803; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

090980 [CEQA findings for SFPUC Water System Improvement Program San Joaquin Pipeline System Project]

Resolution adopting findings under the California Environmental Quality Act ("CEQA"), including the adoption of a mitigation monitoring and reporting program and the statement of overriding considerations related to the San Joaquin Pipeline System Project, Project No. CUW37301; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – August 11, 2009

Board Minutes for July 14, 2009 approved.

Requests Granted

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft an ordinance amending the Health Code to ban the declawing of cats. **CONFIDENTIAL**

From: Supervisor Alioto-Pier

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft an ordinance that amends the Equal Access to Language Services law to require the provision of American Sign Language to members of the public.

From: Supervisor Daly

To: Controller

To: City Attorney

To: Mayor's Budget Office

Requesting/Inquiring: Letter of inquiry concerning the process for addressing state and local revenue shortfalls.

The California State Budget was passed on July 28, 2009. According to Section 9.3 of the Administrative Provisions outlines a process for addressing state or local revenue shortfall. Please indicate the dates as prescribed by section 9.3 for reporting, implementing reductions in spending, etc. and your offices plan to implement the prescribed timeline.

From Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstand at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore and Post

Southwest corner of Divisadero and Sutter

9th Avenue and Judah (near bus stops)

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore

Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner

Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily

Northwest corner of Hayes and Gough

City Star

Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly

Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans

Southwest corner of Eddy and Scott
Northwest corner Masonic and Hayes
Northeast corner Masonic and Fell

Mailbox

Southeast corner Fulton and Laguna

Vacant Lots

Northeast corner of Eddy and Scott

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations:

Potholes and Sidewalk issues

Near 1321 Fulton

In front of 485 Waller, south side of street

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

240 Clayton
1061 Oak
55 Laguna (Haight and Buchanan Street sides)
485 Scott
478 Haight
350 Laguna
355 Laguna
546 Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Pole

Northeast corner Boswell and Geary
On Eddy between Divisadero and Scott, 4 metal poles

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes

Southeast corner Fell and Scott
Near 1140 Oak
Northeast corner Stanyan and Fell
Northeast corner Broderick and Oak

Bus Shelters

Northeast corner Masonic and Turk
Southwest Oak and Masonic
Fillmore and Haight (all 4 bus stops, graffiti and grime)

Emergency Boxes

Northwest corner Post and Webster

In Memoriams

Alexander Foreman – Supervisor Mar
Vahram Takvorian – Supervisor Mar

Lee Cole – Supervisor Mirkarimi
Ralphie – Supervisor Mirkarimi
Michael B. Wilson – Supervisor Duffy
Debra Heller Stein – Supervisors Elsbernd and Chu
Peter Burns – Supervisor Chu
Mary Ryan – Supervisor Duffy

BOARD of SUPERVISORS



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TDD No. 554-5227

Legislation Introduced
Including All Off-Calendar Items
August 18, 2009

GOVERNMENT
DOCUMENTS DEPT

OFF-AGENDA LEGISLATION

AUG 21 2009

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Ordinances

- 091029 [Appropriating \$2,800,000 for Healthy Kids from State Children's Health Insurance Program revenues and General Fund Reserve for the Public Health Department for FY 2009-2010]
Ordinance appropriating \$2,800,000, including \$1,810,000 from State Children's Health Insurance Program revenues and \$990,000 from the General Fund Reserve, to fund the San Francisco Healthy Kids Program in the Department of Public Health for FY 2009-2010. Supervisor Alioto-Pier presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091030 [Planning - Formula retail uses - requiring appointment of community liaisons]
Ordinance amending Planning Code Section 303(i) to require applicants for new formula retail uses to appoint community liaisons to respond to community concerns during construction and store operation. Supervisor Alioto-Pier presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 091031 [Police Department Command Staff]
Ordinance amending the Administrative Code to authorize the Chief of Police to select for appointment to non-civil service ranks above the rank of Captain any sworn law enforcement officer with supervisory experience, either with the San Francisco Police Department or with any local, state or federal agency that employs sworn law enforcement officers. Supervisors Campos, Alioto-Pier, Avalos, Chiu, Daly, Mar, Maxwell, Mirkarimi presented. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 091032 [Confidentiality of juveniles' immigration status]
Ordinance amending the San Francisco Administrative Code by amending Sections 12H.2, 12H.2-1, and 12H.3 to allow City law enforcement officers and employees to report information regarding the immigration status of a juvenile to any state or federal agency when the juvenile has been adjudicated to be a ward of the court on the ground of felony conduct, the court makes a finding of probable cause after the District Attorney directly files felony criminal charges against the minor, or the juvenile court determines that the minor is unfit to be tried in juvenile court and the superior court makes a finding of probable cause; and to update references to the federal agency responsible for enforcing federal immigration laws. Supervisors Campos, Avalos, Chiu, Duffy, Mar, Maxwell, Mirkarimi, Daly presented. ASSIGNED UNDER 30 DAY RULE to Public Safety Committee.
- 091033 [Building Code - Unsafe building, printing, and reproduction fees]
Ordinance amending the Building Code Section 102A.3 to assess a monthly monitoring fee for specified unsafe buildings; Table 1A-D concerning inspector fees; Table 1A-K concerning violation monitoring fees; and Table 1A-L concerning printing and document reproduction fees; and adopting environmental findings. Mayor presented. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

091036 [Zoning - Third Street and Le Conte Avenue Affordable Housing Special Use District]

Ordinance amending the San Francisco Planning Code by adding Section 249.42 to establish the Third Street and Le Conte Avenue Affordable Housing Special Use District for property at 6600 Third Street (Lot 9, Assessor's Block 5476), located at the northeast corner of the block bounded by Le Conte Avenue, Third Street and Keith Street; amending Sheet SU10 of the Zoning Map of the City and County of San Francisco, to reflect this new Special Use District, and adopting findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. Supervisor Maxwell presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

091037 [Settlement of Lawsuit and Disputes and Agreement to Close the Potrero Power Plant - \$1,100,000]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Mirant Potrero L.L.C. on April 27, 2009, in San Francisco Superior Court, Case No. CGC 09-487-795; entitled City and County of San Francisco, et al., v. Mirant Potrero L.L.C., which settlement provides for, among other things, permanent closure of the entire Potrero Power Plant when it is no longer needed for electric reliability, payment by Mirant of \$1,100,000 to the City, the City's agreement to stay enforcement of the UMB Ordinance for the unoccupied unreinforced masonry buildings located at the Potrero Power Plant site pending a new site reuse plan so long as Mirant maintains the buildings in a safe manner, Mirant's agreement to restrict future uses of the site to prohibit fossil fuel generation after the Plant is shut down, and the City's agreement to priority processing of a future application for entitlements for a proposed site reuse plan. Supervisors Maxwell, Chiu, Alioto-Pier presented. RECEIVED AND ASSIGNED to Rules Committee.

091039 [Prohibiting onychectomy (declawing) and tendonecotomy procedures on cats]

Ordinance amending the San Francisco Health Code by adding Section 45 to prohibit onychectomy (declawing) and tendonecotomy procedures on cats except when necessary for a therapeutic purpose. Supervisor Mirkarimi presented. ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee.

Resolutions

091035 [Accept and Expend Federal Grant Funds - Airport - \$11,000,000]

Resolution authorizing the Airport to accept and expend a grant in the amount of \$11,000,000 from the Federal Aviation Administration for additional American Recovery and Reinvestment Act funds to enhance airfield safety projects. Mayor, Supervisor Elsbernd presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

091038 [Planning Code - Demolition and Replacement of Sound Housing]

Ordinance amending the Planning Code by amending Section 317 to require the Planning Commission make certain findings when approving demolition of Residential Buildings that require Mandatory Discretionary Review and to require replacement of sound housing with units of like affordability; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. Supervisors Mirkarimi, Avalos, Daly, Mar, Campos presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

091040 [Chinese Exclusion Act of 1882]

Resolution acknowledging the regrettable role that San Francisco has played in advancing the policies of the Chinese Exclusion Act of 1882, the first federal law to discriminate against a specific group solely on the basis of race or nationality, and celebrating the significant contributions of the Chinese-American community. Mayor, Supervisors Chiu, Chu, Mar presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

091041 [Need for multilingual 2010 Census advance letter]

Resolution calling for an inclusive and multilingual advance letter in the 2010 Census. Supervisor Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

091042 [Accept and Expend State Grants - Department of Public Health - \$11,855.40]

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively three grants totaling \$11,855.40, from the California Department of Food and Agriculture; for the period of July 1, 2009 through June 30, 2010. Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

091043 [Accept and Expend Grant - Department of Public Health - \$15,055]

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$15,055 from the Public Health Foundation Enterprises, to support a research project entitled "Viral Load Study;" for the period of April 1, 2009 through March 31, 2010. Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

091044 [Supporting the passage of the Senate Constitutional Amendment 21]

Resolution supporting the passage of Senate Constitutional Amendment 21 relating to the autonomy of the University of California. Supervisor Campos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

091045 [Requesting suspension of conversion of natural fields to artificial surfaces - Recreation and Park Department]

Resolution requesting that the Recreation and Park Department temporarily suspend the program of converting natural turf playing fields to artificial surfaces pending release of a report by the California Office of Environmental Health Hazard Assessment on the health and environmental impacts of synthetic turf fields. Supervisor Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

091046 [Requesting Caltrans to participate in San Francisco Workforce Development Programs]

Resolution requesting Caltrans and its contractors and subcontractors to actively participate in San Francisco Workforce Development Programs when hiring for projects to be constructed within the City and County of San Francisco. Supervisor Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

091034 [Extending the term of the Joint City and School District Committee for one year]

Motion amending Rule 5.7 of the Board of Supervisors' Rules of Order to extend the term of the Joint City and School District Select Committee for one year. Supervisor Elsbernd presented. RECEIVED AND ASSIGNED to Rules Committee.

Hearings

091028 [San Francisco Police Department's intervention system implementation]

Hearing to discuss the status of the San Francisco Police Department's implementation of its early intervention system. Supervisor Campos presented. RECEIVED AND ASSIGNED to Public Safety Committee.

PROPOSED ORDINANCES

091008 [Settlement of Grievance - Elina Sulimov - \$130,000]

Ordinance authorizing settlement of the lawsuit filed by Elina Sulimov against the City and County of San Francisco for \$130,000; the lawsuit was filed on December 26, 2008, Case No. 478007; entitled Elina Sulimov, v. City and County of San Francisco. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

091020 [Discretionary Review - Planning Department Fees]

Ordinance amending the San Francisco Planning Code by amending Section 311 and 312 to provide that a request for discretionary review will be heard by the Planning Commission or its designee if the application demonstrates exceptional and ordinary circumstances as defined, to replace the term Residential Design Guidelines with the term Residential Design Standards, and to repeal the ability of a project sponsor to request discretionary review; amending Sections 352 and 355 to allow for collection and refund of fees associated with Planning Department Reconsideration; adopting environmental and Section 302 findings. (Planning Department) . ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

090955 [Settlement of Administrative Enforcement Action]

Resolution approving the settlement of the unlitigated administrative enforcement action filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of \$115,000. RECEIVED AND ASSIGNED to Rules Committee.

090981 [Street Encroachment at 1230-1240 Twin Peaks Boulevard]

Resolution granting revocable permission to Michael Chung to occupy, excavate and regrade an existing unimproved portion of the public right-of-way to construct and maintain private concrete driveways with retaining walls, walkways and steps with accommodations for drainage and new landscaping to provide pedestrian and vehicular access to two (2) new single family dwellings at 1230-1240 Twin Peaks Boulevard (Block 2821, Lots 022 & 021), conditioned upon the payment of an annual assessment fee, and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department) . RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

091005 [Settlement of Unlitigated Claim - Rajitha Sangha - \$30,000]

Resolution approving the settlement of unlitigated claim of Rajitha Sangha against the City and County of San Francisco for \$30,000; claim was filed on July 7, 2008. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

091006 [Settlement of Unlitigated Claim - Ferry Building Associates - \$107,798.50]

Resolution approving the settlement of the unlitigated claim filed by Ferry Building Associates against the City and County of San Francisco for \$107,798.50; claim was filed on January 26, 2009. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

091007 [Airport Concession Lease]

Resolution approving the Terminal 3 Concourse Specialty Store Lease to Air Sun, a joint venture between Sunglass Hut Trading, LLC and Corliss Stone-Littles, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

091009 [Settlement of Unlitigated Claim - Rose Dennis - \$90,670.20]

Resolution approving settlement of the unlitigated claim submitted by Rose Dennis against the City and County of San Francisco for \$90,670.20; claim was submitted on April 2, 2009. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

Clerk to Act – August 18, 2009

Board Minutes for July 21, 2009 and July 28, 2009 approved.

Requests Granted

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: To draft amendments to the Planning Code to extend requirements for creating active, attractive, and pedestrian-oriented ground-floor street frontages for new and renovated buildings currently contemplated in NC-T zonings to all NC districts as well as commercial (C), and residential-commercial combined (RC) districts, which are dense, mixed-use, and transit-oriented.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of repairing potholes on Eddy Street between Pierce and Steiner, north side, road uneven and potholes.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of removing graffiti from the following locations:

Garbage Cans

Southeast corner of Eddy and Gough

Northwest corner of Baker and Fell

Northeast corner of Cole and Haight

Southeast corner of Buena Vista West and Haight

Northwest corner of Grove and Fillmore

Mailboxes

Southeast corner of Golden Gate and Scott

Southeast corner of Buchanan and Hayes

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of removing graffiti from utility poles from the following locations:

Metal Poles

Northeast corner of Eddy and Fillmore

Northeast corner of Grove and Gough

Wood Poles

In front of 477 Grove

In front of 500 Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of removing graffiti from the public property located at the following locations:

Utility Boxes

- Southwest corner of Turk and Scott
- Southeast corner of Fell and Broderick
- Northeast corner of Grove and Gough

Bus Shelters

- Northeast corner of Masonic and Turk
- Southeast corner of Stanyan and Haight
- Southeast corner of Buena Vista West and Haight
- Southeast corner of Pierce and Haight
- Southeast corner of Buchanan and Haight
- Fillmore and Haight (all 4 bus stops, graffiti and grime)

Emergency Boxes

- Northeast corner of Sutter and Octavia

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of removing graffiti at the following private property locations:

620 Ashbury, 634 Ashbury, 745 Buchanan, 542 Haight, 633 Haight, 799 Haight, 1002 Scott, 1689 Fulton, 1174 Fell, 501 Divisadero (Fell Street side), 1558 Fell, 638 Stanyan, 1649 Haight, 1578 Haight, 1615 Clayton, 1569 Haight, 1468 Haight, 1428 Haight, 1368 Haight, 1305 Haight, 1299 Haight, 909 Haight, 904 Haight, 498 Haight, 122 Webster, 399 Haight, 1619 Laguna, 501 Fillmore, 598 Page.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore and Post

Southwest corner of Divisadero and Sutter

9th Avenue and Judah (near bus stops)

7th Avenue and Irving (near bus stop)

Northwest corner of Hayes and Fillmore

Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Irving and 9th Avenue

Irving and 7th Avenue

Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

San Francisco Examiner

Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

San Francisco Daily

Northwest corner of Hayes and Gough

San Francisco Star

Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

San Francisco Weekly

Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore

In Memoriams

Burl A. Toler, Sr. - Entire Board
Markley Edward LaPointe - Supervisors Chiu and Elsbernd
Lita Quario - Supervisor Daly
Kenneth R. Shimmons - Supervisor Dufty
Daithi Donnelly - Supervisor Elsbernd

BOARD of SUPERVISORS



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TDD No. 554-5227

**Legislation Introduced
Including All Off-Calendar Items
September 15, 2009**

OFF-AGENDA LEGISLATION

GOVERNMENT
DOCUMENTS DEPT

SEP 18 2009

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Introduced by Supervisors or Mayor

Ordinances

091113 [Seismic strengthening of soft-story, wood-frame buildings]

Ordinance finding a compelling public policy basis for expediting the processing and review of permits for voluntary seismic retrofit upgrades of soft-story, wood-frame buildings and amending the Planning Code, Building Code, Fire Code, and Public Works Code to waive permit processing fees for the proportionate share of work related to such seismic retrofit upgrades; making environmental findings and findings of consistency with the City's General Plan and Planning Code Section 101.1. Mayor presented. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

091015 [Reimbursement to City for dignitary security provided during campaign-related travel by elected officials]

Ordinance adding a new Chapter 6 to Article III of the Campaign and Governmental Conduct Code, by adding Sections 3.600, 3.605 and 3.610, to require City elective officers to reimburse the City for the cost of dignitary security provided by the City during travel for campaign-related activities or meetings. Supervisors Mirkarimi, Campos, Avalos, Daly presented. RECEIVED AND ASSIGNED to Rules Committee.

Resolutions

091106 [Approval of a historical property contract for 1818 California Street ("Lilienthal-Orville Pratt House")]

Resolution under Chapter 71 of the San Francisco Administrative Code, approving a historical property contract between Nakamura FLP, the owner of 1818 California Street ("Lilienthal-Orville Pratt House"), and the City and County of San Francisco; authorizing the Director of Planning and the Assessor to execute the historical property contract. Supervisor Alioto-Pier presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091109 [American Recovery and Reinvestment Act of 2009 Project - Award of Contract for LRV Systems Overhaul - NTE \$56,752,554]

Resolution authorizing the San Francisco Municipal Transportation Agency to enter into Contract No. APT 591-01, LRV Doors and Steps Reconditioning and Systems Overhaul, with AnsaldoBreda Inc., in an amount not to exceed \$56,752,554 and a term not to exceed five years. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091110 [American Recovery and Reinvestment Act of 2009 Project - Award of Contract for Motor Coach Rehabilitation - NTE \$12,598,315]

Resolution authorizing the San Francisco Municipal Transportation Agency to enter into Contract No. APT 106-01, Motor Coach: Component Life Cycle Rehabilitation Project, with Complete Coach Works, in an amount not to exceed \$12,598,315 and a term not to exceed four years. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091111 [Support Assembly Bill 1019 - Alcohol-Related Services Act]

Resolution urging support of Assembly Bill 1019, the Alcohol-Related Services Act to deliver services to, and ensure the public health and safety of, the people of California supported by a reasonable and rational mitigation fee. Supervisor Duffy presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

091112 [Finding of Fiscal Feasibility; Retention and Expansion of the San Francisco Wholesale Produce Market]

Resolution adopting finding that the retention and expansion of the San Francisco Wholesale Produce Market are fiscally feasible pursuant to Administrative Code Chapter 29. Supervisor Maxwell presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

091114 [Hunters Point Shipyard Cooperative Agreement for Fire and Medical Services]

Resolution authorizing the San Francisco Fire Department to enter a five-year Cooperative Agreement with the United States Navy to provide fire and emergency medical services to portions of the Hunters Point Shipyard remaining under federal ownership, and to accept and expend funds provided to the Fire Department by the Navy as reimbursement for services provided under that Agreement. Mayor, Supervisor Maxwell presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091115 [Mortgage Revenue Bonds]

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed \$22,000,000 for Arlington Residence; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with California Debt Limit Allocations Committee procedures; authorizing the Director to certify to California Debt Limit Allocations Committee that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$22,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein). Supervisor Daly presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

091116 [Accept and Expend Gift - Police Department - \$40,000]

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend a gift in the amount of \$40,000 from the Supporters of the San Francisco Police Department's Wilderness Adventure Youth Program, a non-profit organization [501 (c) (3)], for the purchase of two new passenger vans to use on Youth Wilderness Trips. Supervisor Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

091117 [Encouraging Ed Stolz, the new owner of FM 92.7, to continue with the Lesbian Gay Bisexual Transgender radio format of Energy 92.7]

Resolution encouraging Ed Stolz, the new owner of radio station 92.7, to continue with the Community/Lesbian Gay Bisexual Transgender/Dance radio format that has made Energy 92.7 one of the most unique and popular radio stations in San Francisco and the Bay Area. Supervisor Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

091096 [Rental Subsidy Program for Low Income Families]

Hearing on the Rental Subsidy Program for Low Income Families, including an assessment of its funding streams and their stability, the program's effectiveness in supporting families, the demographics of participants and statistics on their progress in the program. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091097 [Airport's budget, administration and outcomes for their employment and community programs]

Hearing to discuss the Airport's budget, administration and outcomes for their employment and community programs, including One Stop Center, Youth Works, San Francisco Career Connect, College Summer Intern Program, Project Assist and Management Intern Program. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091098 [Navy's dissolution of the Restoration Advisory Committee]

Hearing on the Navy's dissolution of the Restoration Advisory Committee and the need for community oversight on the Hunters Point Shipyard clean-up. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

091099 [Lennar Corporation financial status]

Hearing on the financial status of Lennar Corporation and risks to San Francisco based on history of Lennar's liabilities elsewhere in the country. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

091100 [Proposed early transfer of the shipyard from the Navy to the City]

Hearing on the proposed early transfer of the shipyard from the Navy to the City. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

091101 [Air quality assessment]

Hearing on detailed records of air quality assessments gathered during grading and construction in the Bayview Hunters Point Shipyard redevelopment area, specifically Air Monitor HB12. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

091102 [Residential Marijuana Growing Operations]

Hearing on the illegal residential marijuana growing operations. Hearing will include discussion of recent increase in discoveries of illegal marijuana growing operations by San Francisco Police Department; public safety implications from these operations as considered by San Francisco Police Department and San Francisco Fire Department; District Attorney's Office reports on status and results of these arrests; Department of Public Health report on medical cannabis cards and statistics on card carriers by District. Supervisor Chu presented. RECEIVED AND ASSIGNED to Public Safety Committee.

091103 [Status of the Earthquake Safety and Emergency Response Bond proposed for the June 2010 ballot]

Hearing on the status of the Earthquake Safety and Emergency Response Bond proposed for the June 2010 ballot, and, in particular, plans and projects related to the Auxiliary Water Supply System. Supervisor Elsbernd presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091104 [Better Streets Plan]

Hearing on the Better Streets Plan. Supervisor Mar presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

091105 [Hunters Point Naval Shipyard Restoration Advisory Board]

Hearing on the U.S. Navy's intention to replace the Restoration Advisory Board and plans for receiving additional community input regarding the ongoing clean-up of the Hunters Point Shipyard. Supervisor Maxwell presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Motions

091107 [Providing for additional public comment at committee meetings]

Motion repealing and adding Rule 1.4 to provide additional opportunities for public comment at committee meetings. Supervisor Alioto-Pier presented. RECEIVED AND ASSIGNED to Rules Committee.

- 091108 [Directing the Budget Analyst to identify the direct compensation and other benefits which are received by members of all Commissions of the City and County of San Francisco]
Motion directing the Budget Analyst to conduct a review of the direct compensation and other benefits which are received by the members of all Commissions of the City and County of San Francisco. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

- 091059 [Correction to the vacation of former Trenton Street]
Ordinance ordering the summary vacation of a portion of Trenton Street south of Jackson Street within Assessor's Block 0192; making findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; establishing conditions to the effectiveness of the vacation; adopting environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Real Estate Department) . ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 091070 [Settlement of Lawsuit - Pat Moore/Tom Moore - \$120,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Pat Moore/Tom Moore against the City and County of San Francisco for \$120,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.
- 091071 [Settlement of Lawsuit - James Cordova/Maria Morales - \$35,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by James Cordova/Maria Morales against the City and County of San Francisco for \$35,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.
- 091072 [Settlement of Lawsuit - Mehrdad Alemozaffar - \$385,000]
Ordinance authorizing settlement of the lawsuit filed by Mehrdad Alemozaffar against the City and County of San Francisco for \$385,000; the lawsuit was filed on July 20, 2007, in United States District Court, Northern District of California, Case No. C07-4494 JSW; entitled Mehrdad Alemozaffar, et al., v. City and County of San Francisco, et al. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.
- 091073 [Settlement of Unlitigated Claim - Patty Thomas - \$52,250]
Resolution approving the settlement of the unlitigated claim filed by Patty Thomas against San Francisco for \$52,250; claim was filed on March 3, 2009. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

- 091053 [Approval of the cost extension application for HIV prevention projects]
Resolution authorizing the San Francisco Department of Public Health to submit a two-year application for calendar years 2010 and 2011, to continue to receive funding for the "HIV Prevention Projects" grant from the Centers for Disease Control and Prevention, in the total amount of approximately \$16,000,000 in HIV prevention funding for San Francisco; from January 1, 2010, through December 31, 2011. (Public Health Department) Supervisor Duffy presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 091054 [Approval of Department of Building Inspection contracts to provide plan review and field inspection services]
Resolution approving four Department of Building Inspection interagency agreements to provide plan review and field inspection services to the Transbay Joint Powers Authority, the Treasure Island Development Authority, the Port, and the San Francisco Public Utilities Commission, respectively, per Charter Section 9.118(a). (Building Inspection Department) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 091055 [Adopting findings related to San Francisco Public Utilities Commission Water System Improvement Program (WSIP) Pulgas Balancing Reservoir Structural Rehabilitation and Roof Replacement Project]**
Resolution adopting findings under the California Environmental Quality Act, CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of mitigation monitoring and reporting program related to the funding of the Pulgas Balancing Reservoir Structural Rehabilitation and Roof Replacement Project, and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission) . RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091056 [Approve San Francisco Public Utilities Commission Peninsula Region Construction Management Contract]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Water System Improvement Program-funded Professional Service Agreement No. CS-916, Peninsula Region Construction Management Services, with HDR Engineering, Inc. for an amount not to exceed \$22,000,000 with a term of up to 55 months, pursuant to San Francisco Charter Section 9.118. (Public Utilities Commission) . RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091057 [Emergency contract to replace main sewer on California Street from Cherry Street to Arguello Boulevard]**
Resolution approving an emergency public work contract under San Francisco Administrative Code Section 6.60 to replace the main sewer on California Street from Cherry Street to Arguello Boulevard. (Public Utilities Commission) . RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091058 [Emergency contract to replace sewers on Lexington Street from 20th Street to 21st Street and on San Carlos Street from 18th Street to Sycamore Street]**
Resolution approving an emergency public work contract under San Francisco Administrative Code Section 6.60 to replace sewers on Lexington Street from 20th to 21st Street and on San Carlos Street from 18th Street to Sycamore Street. (Public Utilities Commission) . RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091067 [Approve a Lease with the United States of America at the International Terminal of San Francisco International Airport]**
Resolution approving and authorizing the execution of Lease No. GS-09B-01967 with the United States of America for terminal space to be occupied by the U.S. Federal Bureau of Investigation, a Federal agency, in the International Terminal of San Francisco International Airport. (Airport Commission) . RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091068 [Approve amendments to four SFPUC professional engineering services agreements]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute amendments to increase four professional engineering services agreements for Water System Improvement Program (WSIP) funded projects with total revised agreement amounts in excess of \$10,000,000 each, pursuant to Charter Section 9.118. (Public Utilities Commission) . RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091069 [Approving the Ninth Amendment to contract with Office Depot to increase the dollar amount by more than \$500,000]**
Resolution approving the Ninth Amendment to the Agreement between the City and Office Depot (Contractor) for office supplies, increasing the contract's dollar amount to \$20,770,000, pursuant to Charter Section 9.118(b). (Office of Contract Administration) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – September 15, 2009

Board Minutes for August 4, 2009 and August 11, 2009 approved.

Requests Granted

From: Supervisor Campos

To: Mayor's Office

Requesting/Inquiring: Supervisor Campos respectfully requests that the Mayor's Office, or any other appropriate department(s), provide information regarding the City and County of San Francisco's compliance with all the requirements of Section 8.103 of the Charter, including:

-that "[t]he City and County shall provide suitable and sufficient quarters for the Law Library"

-that "[t]he Library shall be so located as to be readily accessible to the judges and officers of the courts"

-that "[t]he judiciary, City, County and state officials, members of the Bar, and all inhabitants of the City and County of San Francisco shall have free access, use and enjoyment of the Law Library..."

Supervisor Campos respectfully requests that this information be provided as soon as reasonable possible.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore and Post

Southwest corner of Divisadero and Sutter

9th Avenue and Judah (near bus stops)

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore

Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Irving and 9th Avenue

Irving and 7th Avenue

Southwest corner of Haight and Clayton

Southeast corner of Haight and Masonic
Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily
Northwest corner of Hayes and Gough

City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly
Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

2115 Golden Gate
1700 Golden Gate
323 Linden
587 Haight
478-484 Haight
577 Haight
471 Haight
200 Octavia
1594 Golden Gate
999 Oak
610 Fillmore
542 Divisadero
330 Fillmore
338 Fillmore
485 Scott
526 Haight
796 Haight
421 Scott
1133 Fell
1421 Fulton
458 Scott
400 Oak
540 Haight
1133 Fell
1109 Oak

650 Fillmore
590 Steiner
500 Scott
500 Oak
55 Laguna
1689 Fulton
604 Haight
425 Haight
539 Gough
879 Haight
899 Haight
900 Haight
901 Haight
1298 Haight
1801 Fulton
1689 Fulton
583 Haight
1881 Oak
218 Pierce
338 Haight
295 Buchanan

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Pole

Northeast corner Octavia & Fell

Northeast and Southeast corners Haight & Fillmore

In front of 105 Fillmore

In front of 431 Fell

Southeast corner Broderick & Hayes

Northwest corner Masonic & Haight

Wood Pole

In front of 468 Fell

In Front of 500 Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes

Southwest corner Divisadero & Grove

Southeast corner Fell & Fillmore
Northeast corner Steiner & Fulton
Northwest corner Lyon & Haight
In front of 1213 Fell
Northwest corner Golden Gate & Masonic
Northeast corner Oak & Fillmore

Fire Hydrant

Southwest corner of Buchanan & Haight

Emergency Boxes

Northeast corner Divisadero & Fell
Southwest corner Fell & Fillmore
Southeast corner Scott & Fulton

Bus Shelters

In Front of 500 Fillmore
Southwest corner Hayes & Fillmore
Southwest corner Fillmore & Oak
Southeast corner Buena Vista West & Haight
Southwest corner Pierce & Haight
Southeast corner Buchanan & Haight
Fillmore and Haight (all 4 bus stops, graffiti and grime)

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans

Southeast corner Steiner & Haight
Northeast corner Eddy & Scott
Northeast corner Clayton & Hayes
Southwest corner Buena Vista East & Haight
Southwest corner Waller & Fillmore

Mailbox

Southwest corner Oak & Webster

In Memoriams

Giulio Sodini – Supervisor Chiu
Honorable Councilmember Michael Shimansky – Supervisors Daly and Mar
Maria Aminta Orellana – Supervisor Duffy
Elliot Harris Klein – Supervisor Duffy

Doug Murphy – Supervisor Dufty

Jimmy Erbacher – Supervisors Elsbernd and Alioto-Pier

BOARD of SUPERVISORS



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TDD No. 554-5227

**Legislation Introduced
Including All Off-Calendar Items
September 22, 2009**

OFF-AGENDA LEGISLATION

**GOVERNMENT
DOCUMENTS DEPT**

SEP 25 2009

**SAN FRANCISCO
PUBLIC LIBRARY**

Introduced by Supervisors or Mayor

Ordinances

091136 [Mandatory prequalification, training and safety certification requirements for public works projects]

Ordinance amending Administrative Code Chapter 6, Public Works Contracting Policies and Procedures, Section 6.20(F), to require mandatory bidder prequalification for all public works contracts and set minimum requirements for prequalification; amending Section 6.22(O) to establish training requirements applicable to apprentices and journeymen; and amending Section 6.22(P) to establish minimum safety training and certification requirements for electricians working on a jobsite. Supervisor Alioto-Pier presented. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

091137 [Mills Act Contract Procedures]

Draft ordinance amending Administrative Code Section 71, (Mills Act Contract Procedures) to codify recent Charter changes related to the Historic Preservation Commission, establish process deadlines for Mills Act applications, require Budget Analyst review, clarify the definition of qualified historical property, and make technical changes. Supervisor Alioto-Pier presented. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

091138 [Public Employment - Department of Human Resources]

Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance FY 2009-2010) to reflect the addition of four (2.68 FTE) Class 1064 IS Programmer Analyst – Principal and four (2.68 FTE) Class 1054 IS Business Analyst – Principal and two (1.34 FTE) Class 1043 IS Engineer – Senior in the Department of Human Resources. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091140 [Settlement of Lawsuit - Joseph Imbelloni; Imbelloni Construction Co., Inc.; and Bayside Vista LLC]

Ordinance authorizing settlement of the lawsuit filed by Joseph Imbelloni; Imbelloni Construction Co., Inc.; and Bayside Vista LLC, against the City and County of San Francisco for a Writ of Mandate against the City and County of San Francisco to cease and desist from requiring a residential housing development commonly known as Bayside Vista, 2011 Bayshore Boulevard from compliance with the Visitacion Valley Community Facilities and Infrastructure Fee and Fund; the lawsuit was filed on August 19, 2008, in San Francisco Superior Court, Case No. CGC-08-478842; entitled Joseph Imbelloni; Imbelloni Construction Co., Inc.; Bayside Vista LLC v. City and County of San Francisco; Department of Building Inspection; Jose Cisneros, Treasurer of the City and County of San Francisco, et al; other material terms of said settlement are set forth in the Settlement Agreement and Release of Claims contained in Board of Supervisors File No. 091140. Supervisor Maxwell presented. RECEIVED AND ASSIGNED to Rules Committee.

- 091141 [Appropriating \$1,043,160 of Hotel Room Tax Revenue to restore reductions to Convention Facilities in the General Services Agency, City Administrator for FY 2009-2010]
Ordinance appropriating \$1,043,160 of Hotel Tax Revenue from the General Fund to restore reductions to the Convention Facilities Fund in the General Services Agency, City Administrator's Office for FY 2009-2010 and amending Administrative Provision Section 12.11 of the FY 2009-2010 Annual Appropriation Ordinance to reflect the change in Hotel Tax Allocation. Supervisors Mirkarimi, Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

- 091132 [Declaring September 2009 as Reentry Month]
Resolution declaring the month of September 2009 as Reentry Month in the City and County of San Francisco. Supervisor Mirkarimi presented. ADOPTED.
- 091133 [Declaring October 3, 2009, Dolorous Knight Day]
Resolution commending Dolorous Knight for her dedication to and generous support of San Francisco's public libraries, particularly her neighborhood branch, the Excelsior Branch Library, and declaring October 3, 2009, as Dolorous Knight Day. Supervisor Avalos presented. ADOPTED.
- 091139 [Department of Human Resources - Amendment to CIBER, Inc. Contract - \$4,995,120]
Resolution approving an amendment to the CIBER, Inc. contract to reduce the contract amount to \$4,995,120. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091142 [Authorizing local support for the Bridge Preventive Maintenance Program]
Resolution authorizing local support for the Department of Public Works Bridge Preventive Maintenance Program and authorizing the Director of Public Works or his or her designee to execute all documents pertaining to the project with Caltrans. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091143 [Welcoming The Presidents Cup to San Francisco]
Resolution welcoming The Presidents Cup to Harding Park Golf Course. Supervisor Elsbernd presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091144 [Commending Bart Duncan for all of his work with the City and County of San Francisco]
Resolution commending Bart Duncan for his more than 8 years of service to the City and County of San Francisco and for his leadership as the Director of Health Services. Supervisor Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091145 [Amending meeting requirements for the Children's Collaborative Task Force]
Resolution amending Resolution 358-07, to allow the Children's Collaborative Task Force to begin meeting prior to the appointment of all its members. Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

- 091134 [Domestic Violence Shelter Changes]
Hearing to discuss the recent changes to state support for domestic violence shelters, efforts by Senator Leland Yee to restore funding to shelters, and local impacts on the community. Supervisors Alioto-Pier, Chiu presented. RECEIVED AND ASSIGNED to Public Safety Committee.
- 091135 [Committee of the Whole - Acquisition of Muni Fillmore Substation at 1190 Fillmore Street]
Hearing of persons interested in or objecting to proposed Resolution approving the acquisition of real property with improvements located at 1190 Fillmore Street (at Turk Street), together with a Certificate for 171,308 units of Transferable Development Rights and \$135,225 in predevelopment planning funds from the San Francisco Redevelopment Agency for the rehabilitation of the Muni Substation, at no cost to the City. Supervisor Mirkarimi presented. ASSIGNED to Board of Supervisors.

PROPOSED ORDINANCES

091093 [Approving Zoning Map Amendments in Connection with the 1500 Page Street Residential Care Special Use District]

Ordinance amending Section Maps 6H and 6SU of the Zoning Maps of the City and County of San Francisco for the real property located at 1500 Page Street (Assessor's Block 1223/Lot 004) at the northwest corner of Masonic Avenue and Page Street, to reclassify the property from a 40-X Height and Bulk District to a 55-X Height and Bulk District, and to map the 1500 Page Street Residential Care Special Use District in order to permit the expansion of an existing building used for residential care and other considerations; and adopting General Plan, Planning Code and environmental findings. (Planning Department) . ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

091094 [Approving agreements for procurement, installation and implementation of San Francisco Public Utilities Commission Advanced Meter Infrastructure System]

Ordinance approving agreements necessary for the procurement, installation and implementation of the San Francisco Public Utilities Commission's Advanced Meter Infrastructure System, including Water Enterprise Agreement No. CS-936 with VSI Meter Services, Inc., related software license and maintenance agreements with Aclara RF Systems Inc., and a related source code escrow agreement with Aclara RF Systems and U.S. Bank National Association, under Charter Section 9.118; making findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1; and ratifying the procurement and contracting processes used by the San Francisco Public Utilities Commission. (Public Utilities Commission) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTION

091095 [Lease purchase financing for the acquisition of Advanced Meter Infrastructure Equipment]

Resolution approving the lease purchase financing for the acquisition of Advanced Meter Infrastructure Equipment for the San Francisco Public Utilities Commission; approving the form of a lease purchase financing agreement between the Public Utilities Commission and a lender to be named therein, authorizing the selection of such lender, and ratifying previous actions taken in connection therewith. (Public Utilities Commission) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – September 22, 2009

Board Minutes for August 18, 2009 approved.

Requests Granted

From: Supervisor Alioto-Pier

To: Director, Health Service System

Requesting/Inquiring: Requesting that the Health Service System provide data on denials of City and County members who belong to Blue Shield HMO, plus system policies on assisting members who face denials.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans

On the North side of Cole Street between Carl & Frederick

Northeast corner Buchanan & Haight

Mailboxes

Northeast corner Buchanan & Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

350 Laguna

440 Webster

1020 Fillmore

Building on the Northeast corner of Clayton & Cole

400 Fillmore

478-484 Haight (possible gang graffiti)

485 Scott

1300 Haight

506 Haight

338 Haight

295 Buchanan

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Pole

In front of 1056 Divisadero

In front of 338 Fillmore

Wood Pole

Southeast corner Sutter & Broderick

Northeast corner Fillmore & Germania

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property at the following locations:

Utility Boxes

Southeast corner Fell & Buchanan

Northeast corner Pierce & Waller

Bus Shelter

Southwest corner Stanyan & Haight

Southeast corner Buchanan & Haight

Fillmore and Haight (all 4 bus stops, graffiti and grime)

Emergency Boxes

Southwest corner Waller & Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore and Post

Southwest corner of Divisadero and Sutter

9th Avenue and Judah (near bus stops)

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore

Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Irving and 9th Avenue

Irving and 7th Avenue

Southwest corner of Haight and Clayton

Southeast corner of Haight and Masonic

Examiner

Northwest corner Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily

Northwest corner of Hayes and Gough

City Star

Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly

Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore

In Memoriams

Julianna "Julie" De Gregorio – Supervisors Dufty and Elsbernd
Jacob Alexander – Supervisor Mirkarimi
Melissa Dennison – Supervisor Mirkarimi
Sue Olive – Supervisor Dufty

BOARD of SUPERVISORS



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Tel. No. 554-5184
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**Legislation Introduced
Including All Off-Calendar Items
October 6, 2009**

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

- 090999 [Waiving contracting provisions to allow the City to meet State requirements to participate in Proposition 1A bond sale]**
Emergency ordinance (1) finding that an emergency exists for purposes of Charter Section 2.107; and (2) waiving certain City contracting provisions that are not allowed by the State under the State's standard form of purchase and sale agreement with the California Statewide Communities Development Authority and thus allowing the City to meet the deadline to participate in the State program to issue bonds to offset the adverse effects of the State's Proposition 1A borrowing of local property taxes. Mayor, Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091161 [Approving Issuance of a Request for Proposals for CleanPowerSF]**
Ordinance approving issuance of a Request for Proposals for Community Choice Aggregation (CCA) Services for the San Francisco CCA program, commonly known as CleanPowerSF. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Government Audit and Oversight/LAFCo Joint Meeting.
- 091162 [Purchaser's authority to permit informal solicitation of certain contracts for purchase of goods or services and to set aside contracts for small local businesses]**
Ordinance amending Administrative Code Section 21.5 to allow Purchaser to permit informal solicitation for contracts for commodities and services up to \$100,000 and for those contracts utilizing federal grant funds where authorized and to update Purchaser's authority to set aside contracts for local small businesses. Supervisors Chu, Chiu, Maxwell presented. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

**GOVERNMENT
DOCUMENTS DEPT**

OCT 13 2009

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PUBLIC LIBRARY**

091163 [Economic stimulus measures for capital project acceleration]

Ordinance amending Administrative Code Chapter 6, Public Works Contracting Policies and Procedures, Section 6.1, to add a definition for a department head and designee and to increase the Threshold Amount for sealed competitively bid construction contracts from \$100,000 to \$400,000, with a future increase by the Controller in 2015; amending Section 6.20, to update and conform references to Administrative Code Chapter 14B; amending Section 6.21, to update and conform references to Administrative Code Chapter 14B; amending Section 6.22(A), to clarify and conform to state law the minimum contract amount requiring performance and payment bonds to \$25,000; amending Section 6.22(J), to allow for early release of retention to subcontractors certified by the Human Rights Commission as Local Business Enterprises or subcontractors on multi-year construction projects; amending Section 6.40, to increase the minimum competitive amount for the procurement of professional services for public work projects from \$25,000 to \$100,000, with a future increase in 2015 by the Controller; amending Section 6.60 to update and conform references to the Municipal Transportation Agency; amending Section 6.62, Job Order Contracts, to amend the Local Business Enterprise goal enforcement procedure and allow for micro-LBE set-asides, to increase the maximum contract amount from \$3,000,000 to \$5,000,000 and the maximum contract time to five years, to increase the maximum service order amount from \$200,000 or \$400,000 (depending on the program) to \$400,000 for all purposes, and adding new subcontractor listing and subcontractor substitution requirements. Supervisors Chu, Chiu, Maxwell presented. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

091165 [Zoning - Parking Requirements and Garage Installation in Existing Residential Buildings in Telegraph Hill, North Beach and Chinatown]

Ordinance amending the San Francisco Planning Code by amending Sections 714.94, 722.94, 803.2, and Table 810 to require a conditional use to install a garage in an existing residential structure in the Broadway NCD, the North Beach NCD, and the Chinatown Mixed Use and Community Business Districts; adding Section 249.46 and amending Section SU01 of the Zoning Map to establish the Telegraph Hill – North Beach Residential Special Use District to include the residentially-zoned areas bounded by Bay Street to the North, Sansome Street and the Embarcadero to the East, Broadway to the South, and Columbus Avenue to the West, and require a conditional use to install a garage in a residential structure; amending Section 151 to reduce the minimum parking requirements in the Broadway and North Beach NCDs and the Telegraph Hill – North Beach Residential Special Use District; amending Section 155 to add Columbus Avenue between Washington and North Point Streets to the list of streets where garage entries, driveways or other vehicular access to offstreet parking or loading are prohibited; amending the Public Works Code by amending Section 723.2 to prohibit the issuance of minor sidewalk encroachment permit that would facilitate the installation of parking in a residential structure; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. Supervisor Chiu presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

091168 [Appropriating \$150,000 of General Fund Reserve to General City Responsibility for Emergency Aid Relief in the Philippines, Samoa and Indonesia]

Ordinance appropriating \$150,000 from the General Fund Reserve to General City Responsibility for emergency aid relief for the people of the Philippines, Samoa and Indonesia related to recent natural disasters for FY 2009-2010. Supervisor Daly presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091169 [Accept and Expend Federal Grant - Police Department - \$16,562,750]

Ordinance authorizing the City and County of San Francisco's Police Department to retroactively accept and expend ARRA grant funds in the amount of \$16,562,750 from the U.S. Department of Justice COPS Program for implementation of the COPS Hiring Recovery Program to hire 50 new Q-2 San Francisco Police Officers, and amending the Annual Salary Ordinance to provide for the creation of certain grant-funded positions. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091137 [Administrative Code - Historical Property (Mills Act) Contract Procedures]

Ordinance amending Chapter 71 of the San Francisco Administrative Code regarding historical property (Mills Act) contract procedures to reflect amendments made to the San Francisco Charter to create the Historic Preservation Commission, establish certain time lines for review of applications for historical property contracts, require Budget Analyst review of applications for historical property contracts, and making other clarifying amendments; and making findings, including environmental findings. Supervisor Alioto-Pier presented. ASSIGNED to Rules Committee.

081509 [Summary Vacation of a Portion of Channel Street Between 7th Street and Carolina Street and Exchange of Property]

Ordinance ordering the summary vacation of a portion of Channel Street between 7th Street and Carolina Street, subject to specified conditions; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; authorizing the exchange of such vacated City property with a new lot created in Record of Survey No. 4778, owned by Macor, Inc., Sunset Scavenger Company, and Norcal Waste Systems, Inc.; adopting environmental findings and findings that the vacation and exchange are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing actions in furtherance of the Ordinance. Supervisor Maxwell presented. REACTIVATED PURSUANT TO RULE 5.23.

Resolutions

091000 [Authorizing the Execution and Delivery of a Purchase and Sale Agreement and Certain Other Actions in Connection with Proposition 1A Bond Sale]

Resolution approving the form of and authorizing the execution and delivery of a Purchase and Sale Agreement and related documents with respect to the sale of the City's Proposition 1A receivable from the State; and directing and authorizing certain other actions in connection therewith. Mayor, Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091001 [Commending Central American Resource Center, Supervisor Campos, and Aura Beteta on Central American People's Day 2009]

Resolution recognizing October 18, 2009, as Central American People's Day, and to acknowledge Central American Resource Center's (CARECEN) contributions in organizing the second annual Central American community "Festival de los Volcanes," and commending Supervisor David Campos and Aura Beteta for their exemplary leadership on behalf of the City's immigrant community. Supervisor Avalos presented. ADOPTED.

091118 [Board response to the 2008-2009 Civil Grand Jury Report entitled "USE IT OR LOSE IT: a Report on the Surplus Real Property Owned by the San Francisco Unified School District"]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2008-2009 Civil Grand Jury Report entitled "USE IT OR LOSE IT: A Report on the Surplus Real Property Owned by the San Francisco Unified School District," and urging the Mayor to cause the implementation of accepted findings and recommendations through department heads and through the development of the annual budget. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

091119 [Board response to the 2008-2009 Civil Grand Jury Report entitled "Being Propositioned by the San Francisco Unified School District"]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2008-2009 Civil Grand Jury Report entitled "Being Propositioned by the San Francisco Unified School District," and urging the Mayor to cause the implementation of accepted findings and recommendations through department heads and through the development of the annual budget. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

091158 [Board response to the 2008-2009 Civil Grand Jury Report entitled "Nonprofits, the Good, the Bad, the Ugly"]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2008-2009 Civil Grand Jury Report entitled "Nonprofits, the Good, the Bad, the Ugly," and urging the Mayor to cause the implementation of accepted findings and recommendations through department heads and through the development of the annual budget. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

091159 [Board response to the 2008-2009 Civil Grand Jury Report entitled "Pensions: Beyond Our Ability to Pay"]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2008-2009 Civil Grand Jury Report entitled "Pensions: Beyond Our Ability to Pay," and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 091160 [Board response to the 2008-2009 Civil Grand Jury Report entitled "TRUANTS CAN BE 'JOYFUL LEARNERS,' TOO: Unless Racism, Classism and/or Systematic Ineffectiveness Prevent Future Progress"]**
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2008-2009 Civil Grand Jury Report entitled "TRUANTS CAN BE 'JOYFUL LEARNERS,' TOO: Unless Racism, Classism and/or Systematic Ineffectiveness Prevent Future Progress," and urging the Mayor to cause the implementation of accepted findings and recommendations through department heads and through the development of the annual budget. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 091164 [Accept and Expend Grant - Department of Public Health - \$282,150]**
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the Health and Human Services Administration in the amount of \$282,150 to upgrade radiology equipment in the Trauma Center at San Francisco General Hospital; for the period of September 1, 2009, through February 28, 2011. Supervisor Chiu presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 091166 [Approval of Management and Operations Agreement for the Cable Car Museum]**
Resolution approving Municipal Transportation Agency Management and Operations Agreement with the Friends of the Cable Car Inc., for the Cable Car Museum for a term of ten years with two five-year options to extend the term. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091167 [Broadway Family Apartments Revenue Bonds]**
Resolution approving the reissuance of not to exceed \$19,200,000 aggregate principal amount of City and County of San Francisco Multi-family Housing Revenue Bonds Series 2004a (Broadway Family Apartments) pursuant to Section 147(f) of the Internal Revenue Code of 1986; approving the Fifth Amendment to Loan Agreement and Fifth Supplemental Indenture; ratifying previous actions; and authorizing the execution and delivery of documents and instruments. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091170 [Accept and Expend State Grant - Urban Auto Fraud Interdiction Program - \$250,000]**
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$250,000 through the California Department of Insurance, Fraud Division, Local Assistance Program, for a program entitled Organized Automobile Fraud Activity Interdiction Program ("Urban Auto") for FY 2009-2010. Supervisor Chiu presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 091171 [Accept and Expend State Grant - District Attorney - \$100,000]**
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$100,000 through the California Department of Insurance, Life and Annuity Consumer Protection Fund, for a program entitled "Life and Annuity Consumer Protection" for FY 2009-2010. Supervisor Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091172 [Accept and Expend Federal Grant - Back on Track Re-entry Program Infrastructure and Replication Grant - \$400,000]**
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$400,000 through the United States Department of Justice, Bureau of Justice Assistance, for a program entitled "Back On Track Re-entry Program Infrastructure and Replication Grant" for FY 2009-2012. Supervisor Chiu presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 091173 [Urging the United States federal government to end the U.S. military occupation of Afghanistan]**
Resolution urging the United States federal government to end the U.S. military occupation of Afghanistan while providing humanitarian aid to support the recovery of the country from the effects of war. Supervisors Avalos, Campos, Daly, Mar, Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

091174 [Accept and Expend State Grants - Department of Public Health - \$18,699.38]

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively three grants totaling \$18,699.38, from the California Department of Food and Agriculture; for the periods of July 1, 2009, through June 30, 2010, and January 1, 2010, through December 31, 2010. Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

091175 [Issuance and Sale of Revenue Bonds - Crescent Manor - 467 Turk Street - NTE \$11,000,000]

Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$11,000,000 for financing the acquisition, construction and rehabilitation of Crescent Manor - 467 Turk Street, subject to the requirements of Article IX of Chapter 43 of the Administrative Code. Supervisor Daly presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

091176 [Accept and Expend Grant - Department of Public Health - \$20,059]

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$20,059 from the University of California San Francisco, to assist with a project entitled "Monitoring and Evaluation Framework for Improved Health Sustainability in the Philippines;" for the period of July 1, 2009 through November 15, 2009. Supervisor Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

091177 [Urging San Francisco businesses and community members to contribute to the relief efforts in Samoa, American Samoa, Indonesia and the Philippines to help the islands cope with the effects of the devastating earthquake, tsunami, storms and typhoons]

Resolution urging San Francisco businesses and community members to contribute to the relief efforts in Samoa, American Samoa, Philippines and Indonesia to help the islands cope with the effects from the devastating earthquake, tsunami, storms and typhoons that have occurred over the past 10 days. Supervisor Duffy presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

091178 [Approval of Lease for Pier 15 and a portion of Pier 17, related Parking Agreement and Licenses]

Resolution approving and authorizing a 66-year Lease of Pier 15 and a portion of Pier 17 and related Parking Agreement at Seawall Lot No. 321, two Curb Indent Licenses in front of Piers 15 and 17 and a Curb Space License at Green Street between the Exploratorium and the City and County of San Francisco acting by and through the San Francisco Port Commission. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091179 [CEQA Findings in Connection with the Exploratorium Relocation Project]

Resolution adopting findings pursuant to the California Environmental Quality Act (CEQA) and Administrative Code Chapter 31 in connection with the Exploratorium Relocation Project proposed to be located on Pier 15 and a portion of Pier 17 in the Port of San Francisco, City and County of San Francisco. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091180 [Declaring November 1 - 8, 2009, Community College Week]

Resolution declaring November 1 – 8, 2009, Community College Week and urging the Governor to work together to come up with a budget for FY 2010-2011 that does not increase student fees and that uses a combination of new revenue generation, delayed payments, and other creative mechanisms in lieu of cuts to education. Supervisors Mar, Avalos, Maxwell, Mirkarimi, Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

091002 [Presidio Boulevard temporary road closure]

Hearing on the Presidio Boulevard temporary road closure and traffic calming study and the Presidio Trust has recently undertaken a month-long traffic management study (from September 29, 2009, to October 27, 2009) to examine how various traffic calming measures, including some short-term road closures, will affect traffic conditions on the major streets and gateways in the park and in surrounding City neighborhoods and to (1) examine the impacts of the Presidio Boulevard closure on the Presidio and City streets, (2) what the Presidio Trust and the Department of Parking and Traffic learned from the study, and (3) the Presidio Trust's future plans for Presidio Boulevard. Supervisors Alioto-Pier, Mar presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

091003 [Mayor's mid-year budget adjustments]

Hearing to consider the Mayor's mid-year budget adjustments due to General Fund State budget reductions. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091155 [City Controller's first quarter report]

Hearing on the status of the San Francisco Unified School District's student assignment system and the proposed redesign of that system scheduled to be in place for the 2011-2012 school year. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091156 [Status of the San Francisco Unified School District's student assignment system]

Hearing on the status of the San Francisco Unified School District's student assignment system and the proposed redesign of that system scheduled to be in place for the 2011-2012 school year. Supervisors Elsbernd, Chu presented. RECEIVED AND ASSIGNED to City and School District Select Committee.

091157 [Budget Analyst Management Audits]

Hearing before the Government Audits and Oversight Committee to receive and hear Management Audit reports prepared by the Budget Analyst of the First Offender Prostitution Program and the Municipal Transportation Agency proof of payment audit. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

091075 [Settlement of Lawsuit - Bernard and Mildred Bolton - \$650,000]

Ordinance authorizing settlement of the lawsuit filed by Bernard and Mildred Bolton against the City and County of San Francisco for \$650,000; the lawsuit was filed on October 15, 2008, in San Francisco Superior Court, Case No. 480-896; entitled Bernard and Mildred Bolton, et al., v. City and County of San Francisco, et al. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

091076 [Settlement of Lawsuit - Segundo Malvar Tiongco, Mares B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B. Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco - \$1,750,000]

Ordinance authorizing settlement of the lawsuit filed by Segundo Malvar Tiongco, Mares B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B. Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco against the City and County of San Francisco for \$1,750,000; the lawsuit was filed on January 16, 2009, in San Francisco Superior Court, Case No. 484-171; entitled Segundo Malvar Tiongco, Mares B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B. Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco, et al. v. City and County of San Francisco, et al. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

091080 [Settlement of Lawsuit - Duncan Briggs - \$65,000]

Ordinance authorizing settlement of the lawsuit filed by Duncan Briggs against the City and County of San Francisco for \$65,000; the lawsuit was filed on August 19, 2008, in San Francisco Superior Court, Case No. 478-836; entitled Duncan Briggs, et al. v. City and County of San Francisco, et al. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

091086 [Settlement of Lawsuit - Jeanne Schoenstein - \$225,000]

Ordinance authorizing settlement of the lawsuit filed by Jeanne Schoenstein against the City and County of San Francisco and Marcelo Samame for \$225,000 inclusive of attorneys' fees and costs; the lawsuit was filed on July 14, 2008, in San Francisco Superior Court, Case No. CGC-08-477472; entitled Schoenstein, et al., v. City and County of San Francisco, et al. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

091124 [Amendment to Treasure Island Land and Structures Master Lease]

Resolution approving the Thirty Third Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

091125 [Amendment to Treasure Island South Waterfront Master Lease]

Resolution approving the Twenty Fifth Amendment to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

091126 [Amendment to Treasure Island Marina Master Lease]

Resolution approving the Thirteenth Amendment to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

091127 [Amendment to Event Venues Master Lease]

Resolution approving the Twenty First Amendment to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – October 6, 2009

Requests Granted

From: Supervisor Elsbernd

To: City Attorney

To: Director, Health Service System

To: Director, Department of Public Health

Requesting/Inquiring: Requesting the City Attorney, Health Service System, and Department of Public Health to provide an analysis of proposed Federal legislation and the possible impact on access to and delivery of health care in San Francisco. In particular:

1. If a mandate for health insurance remains in the final legislation, does Healthy San Francisco qualify as an acceptable insurance plan for those uninsured San Franciscans who now must get insurance?
- 1a. If a federal "public option" is created, how does it work with and/or conflict With Healthy San Francisco?
2. Would an excise tax on high cost health plans affect any health benefits afforded to City employees and/or retirees?
3. What, if any, will be the impact on city retirees who receive Medicare?

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations:

Potholes and Sidewalk issues

On Broderick, between McAllister & Fulton

Sidewalk on Geary, north side, holes in sidewalks from copper plates being removed.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles:

Northwest corner Masonic & Haight

Southeast corner Buena Vista West & Haight

Southeast corner Hayes & Scott

Wood Poles:

In front of 505 Waller

In front of 118 Fillmore
In front of 920 Broderick

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans

Southeast corner O'Farrell & Scott
Southeast corner Buena Vista East & Haight
Northeast corner Lyon & Haight, (can is turned over on its side)
Northeast corner Buchanan & Haight

Mailbox

Northeast corner Divisadero & Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner

Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily

Northwest corner of Hayes and Gough

City Star

Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly

Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

1880 Turk
423 Laguna
870 Turk
507 Haight
703 Webster
198 Haight
898 Page
456 Haight
2001 Haight
508 Grove
832 Page
55 Laguna
1667 Haight
1559 Haight
1364 Haight
509 Haight
506 Lyon
1429 Fulton
1240 Hayes
800 Haight, on the Scott Street side
769 Haight
325 Webster
482-484 Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property at the following locations:

Utility Boxes

Southeast corner Lilly & Octavia
Northeast corner of O'Farrell & Scott
Southeast corner Webster & Fell
Southeast corner Divisadero & Hayes

Southwest corner Page & Steiner
Southeast corner Stanyan & Haight
Southeast corner Hayes & Broderick
Northeast corner Broderick & Oak
Southeast corner Scott & Fell
Northeast corner Oak & Webster

Bus Shelters

Southeast corner Scott & Haight
Fillmore and Haight (all 4 bus stops, graffiti and grime)

Emergency Boxes

Northwest corner Ellis & Pierce

In Memoriams

Jan Melichar – Board President Chiu
Keith Goldstein – Supervisors Dufty and Alioto-Pier
Michael "Lucas" Rebston – Supervisor Dufty
Don Fisher – Entire Board
Amy Hon Chan – Board President Chiu

BOARD of SUPERVISORS



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San Francisco, CA 94102-4689
Tel. No. 554-5184
TDD No. 554-5227

**Legislation Introduced
Including All Off-Calendar Items
October 20, 2009**

OFF-AGENDA LEGISLATION

**GOVERNMENT
DOCUMENTS DEPT**

OCT 23 2009

**SAN FRANCISCO
PUBLIC LIBRARY**

Introduced by Supervisors or Mayor

Ordinances

091201 [Right-of-way Acceptance - DeLong Street between San Diego and Santa Cruz Avenues]

Ordinance accepting offers from Habitat for Humanity San Francisco and the San Francisco Bay Area Rapid Transit District for specified street improvements and property for right-of-way purposes; designating said improvements and property for public right-of-way purposes; approving a map showing such improvements and street areas and declaring such areas to be dedicated open public right-of-way and officially naming this street area as "DeLong Street;" accepting said improvements for public maintenance and liability purposes, subject to specified limitations; officially adopting sidewalk widths and grades for DeLong Street; adopting environmental findings and finding that such actions are consistent with the City's General Plan and the eight priority policies of City Planning Code section 101.1; and authorizing official acts in connection with this ordinance. Supervisor Avalos presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

091202 [Appropriating \$734,289 in San Francisco General Hospital to Convert 88 Patient Care Assistant Positions to Certified Nursing Assistant Positions for FY 2009-2010]

Ordinance appropriating \$734,289 in General Fund Reserve to support the cost of converting eighty-eight (88) Patient Care Assistant Positions (Job Classification 2303) to Certified Nursing Assistant Positions (Job Classification 2302) effective January 1, 2010, at San Francisco General Hospital in the Department of Public Health for FY 2009-2010. Supervisors Avalos, Mirkarimi, Campos, Mar presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091203 [Public Employment - Department of Public Health Certified Nursing Assistant conversion at San Francisco General Hospital]

Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance 2009-2010) to reflect the conversion of 44.00 FTEs (88.00 positions) from Patient Care Assistants to Certified Nursing Assistants for 13.1 pay periods (January 1, 2010 through June 30, 2010) at San Francisco General Hospital in the Department of Public Health. Supervisors Avalos, Mirkarimi, Mar presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091207 [Extending the Yerba Buena Center Redevelopment Plan]

Ordinance approving amendments to the Yerba Buena Center Redevelopment Plan to extend by one year the time limit on the effectiveness of the plan (other than the Emporium Site) and, upon expiration of the Plan, to extend both the time for issuance of debt and the receipt of tax increment by the San Francisco Redevelopment Agency and to suspend the limit on the total number of dollars of tax increment revenue that may be received by the San Francisco Redevelopment Agency under the Plan to continue financing Low and Moderate Income Housing Fund activities under the Plan. Supervisor Daly presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 091208 [24th Street - Noe Valley Neighborhood Commercial District - Conditional Use for New Full-Service and Small Self-Service Restaurants]**
Ordinance amending the San Francisco Planning Code by amending Section 728.1 and Sections 728.42, 728.44 and 728.69A of the Zoning Control Table to allow new full-service restaurants, small self-service restaurants, and self-service specialty food establishments with conditional use authorization and removing the Specific Provisions for full-service restaurants; adopting findings, including environmental findings, Section 301 findings, and findings of consistency with the General Plan and the Priority Policies of Section 101.1. Supervisor Duffy presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 091210 [Recreation and Park Department - Turf Athletic Fields]**
Ordinance repealing the portion of uncodified Ordinance No. 077-06 that authorizes the Recreation and Park Department (RPD) General Manager to accept future gifts of the synthetic athletic fields ("Turf fields") without the approval of the Board of Supervisors; and adding S.F. Park Code Section 3.21 to require RPD to submit an annual report on the Turf fields to the Board of Supervisors. Supervisor Mirkarimi presented. ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee.
- 091211 [Carryout Bag Rebate Ordinance]**
Ordinance amending the San Francisco Environment Code by adding Chapter 20, Sections 2001 through 2005, entitled "Carryout Bag Rebate Ordinance," to require stores in the City and County of San Francisco to provide a rebate to customers for bringing their own carryout bags and to provide penalties for violations. Supervisor Mirkarimi presented. ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee.
- 091217 [Appropriation ordinance to reflect Mayor's State Budget Plan for FY 2009-2010]**
Ordinance appropriating \$18,000,000 of an unallocated reduction to State revenues (State Budget Reserve), including \$9,589,000 for the Department of Public Health, \$9,600,000 for the Human Services Agency, and \$500,000 for the Sheriff's Department; deappropriating \$3,448,652 of expenditures in the Department of Public Health consistent with the Mayor's Proposed State Budget Plan; and appropriating and placing \$1,759,652 of General City Responsibility General Fund on an appropriated reserve for FY 2009-2010. Mayor, Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091218 [MOU, Amendment #2 - Local 798, Unit 1]**
Ordinance adopting and implementing Amendment #2 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters, Local 798, Unit 1, by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FY's 2009-2010 and 2010-2011. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 091219 [MOU, Amendment #2 - Local 798, Unit 2]**
Ordinance adopting and implementing Amendment #2 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters, Local 798, Unit 2, by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FY's 2009-2010 and 2010-2011. Mayor presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 091162 [Purchaser's authority to permit informal solicitation of certain contracts for purchase of goods or services and to set aside contracts for small local businesses]**
Ordinance amending Administrative Code section 21.5 to allow Purchaser to permit informal solicitation for contracts for commodities and services up to \$100,000 and for those contracts utilizing federal grant funds where authorized and to update Purchaser's authority to set aside contracts for local small businesses. Supervisors Chu, Chiu, Maxwell presented. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

Resolutions

- 091192 [Eureka Valley/Harvey Milk Memorial Branch Library re-opening]**
Resolution recognizing the grand re-opening of the Eureka Valley/Harvey Milk Memorial Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents. Supervisor Duffy presented. ADOPTED.

- 091204 [Accept and Expend State Grant - San Francisco Port Commission - \$5,771,340]**
Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of \$5,771,340 from the California Emergency Management Agency for security enhancements at the Port of San Francisco. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091205 [Accept and Expend State Grant - Airport Commission - \$1,700,000]**
Resolution authorizing the Airport Commission to retroactively accept and expend a grant of \$1,700,000 from the California Air Resources Board for the acquisition and operation of a hydrogen vehicle fueling station. Supervisor Chu presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091206 [Accept and Expend Regional Grant - Airport Commission - \$1,399,709.57]**
Resolution authorizing the Airport Commission to retroactively accept and expend 3 grants totaling \$1,399,709.57 from the Bay Area Air Quality Management District (Air District) for the retrofit and acquisition of clean air vehicles and infrastructure. Supervisor Chu presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091209 [Interim Zoning Controls for the Bayshore Corridor]**
Resolution imposing interim zoning controls to require Conditional Use authorization for all projects that involve (1) establishment of a formula retail use, (2) new retail uses that are 25,000 gross square feet or larger, and/or (3) a lot merger that creates a new lot that is 25,000 square feet or larger, for a period of eighteen (18) months, on all properties on lots fronting Bayshore Boulevard, from Jerrold Avenue to the I-280 Freeway; the west side of Loomis Street, from Jerrold Avenue to the I-280 Freeway; Oakdale Avenue from Loomis Street to Bayshore Boulevard; Marengo Street from Bayshore Boulevard to Waterloo Street; and the west side of Boutwell Street from Industrial Street to the I-280 Freeway; specifying criteria to be applied in the evaluation of a conditional use permit application, in addition to the criteria listed in Section 303 of the Planning Code, and making findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings. Supervisors Maxwell, Campos, Duffy presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 091212 [Amendment to the FY 2009-2010 Redevelopment Agency Budget]**
Resolution approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for FY 2009-2010 Budget to (1) authorize the expenditure in an amount not to exceed \$28,700,000 for payment to the Educational Revenue Augmentation Fund; (2) authorize an increase in expenditures in an amount not to exceed \$156,000 for additional grant reimbursements from the U.S. Department of Commerce, Economic Development Administration (EDA); (3) authorize an increase in expenditures in an amount not to exceed \$1,033,417 for additional Housing Opportunities for Persons with AIDS (HOPWA) funding; and (4) approving the issuance by the Redevelopment Agency of Bonds in an additional principal amount not to exceed \$28,000,000 to finance a portion of redevelopment activities described in the approved Budget as amended for FY 2009-2010 of which additional tax increment will be needed in FY 2010-2011 for such financing thereof. Mayor, Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091213 [Accept and Expend Federal/State Grant - Department of Public Library - \$5,667]**
Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of \$5,667 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education. Supervisor Chu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091214 [Urging the State of California Alcoholic Beverage Control office to maintain its San Francisco Office]**
Resolution urging the State of California Alcoholic Beverage Control office to maintain its San Francisco Office and continue to provide their crucial necessary services to the Citizens of San Francisco. Supervisors Duffy, Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091215 [Urging SFMTA to implement AB 144 in order to curb abuse of disabled placards.]**
Resolution urging the San Francisco Municipal Transportation Agency to implement California Assembly Bill 144 to curb abuse of disabled placards. Supervisors Duffy, Mar presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

091216 [Support for Irish Unification]

Resolution urging the Federal officials to support Irish Unification. Supervisor Daly presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

091178 [Approval of Lease for Pier 15 and a portion of Pier 17, a related Parking Agreement and Licenses]

Resolution approving and authorizing a 66-year Lease of Pier 15 and a portion of Pier 17 and a related Parking Agreement at Seawall Lot 321, two Curb Indent Licenses in front of Piers 15 and 17 and a Curb Space License at Green Street between the Exploratorium and the City and County of San Francisco acting by and through the San Francisco Port Commission. Mayor, Supervisor Chiu presented. ASSIGNED to Budget and Finance Committee.

Requests for Hearing

091196 [Impact of foreclosures and loan modifications in San Francisco]

Hearing to consider the impact of foreclosures on residents and on the City and County of San Francisco and also address to what extent homeowners are seeking loan modifications and presentations will be provided by the Mayor's Office of Housing, lenders, and organizations supporting homeowners facing default. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

091197 [State Homeland Security Program Grants Distribution]

Hearing on the distribution of State Homeland Security Program Grants for the purpose of examining the efficacy and transparency of project administration and San Francisco's role as fiscal agent of these monies. Supervisor Campos presented. RECEIVED AND ASSIGNED to Public Safety Committee.

091198 [Bus Inspection Program]

Hearing to get a status update from the Municipal Transportation Agency and San Francisco Police Department on the Bus Inspection Program which will focus on the ongoing Bus Inspection Program trial program that has been implanted at several police station in San Francisco and how the Trans Link card has been used. Supervisor Duffy presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

091199 [Management Audit of the San Francisco Municipal Transportation Authority Proof of Payment Program]

Hearing on the Management Audit of the San Francisco Municipal Transportation Agency Proof of Payment Program and what changes have been applied to Muni's Proof of Payment Program since the audit was released in May 2009. Supervisor Duffy presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

091200 [Inter-departmental coordination with large public and private events in Golden Gate Park]

Hearing to discuss inter-departmental coordination with large public and private events in Golden Gate Park which will be based around transportation, parking, noise, outreach, and neighborhood notification. Supervisors Mar, Chu presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Motions

091220 [Authorizing the Clerk of the Board of Supervisors to Commence Negotiation for the Budget and Legislative Analyst Services]

Motion directing the Clerk of the Board of Supervisors to begin negotiations with Harvey M. Rose Associates, LLC, Debra A. Newman, Louie and Wong, LLP, A Joint Venture, for Budget and Legislative Analyst Services per Request for Proposal (RFP) #BOS-01-424. Supervisor Avalos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

090678 [Bayview Hunters Point Area Plan, Technical Zoning Map Amendments]

Ordinance amending Zoning Map Sheets ZN08, ZN10, and SU10 of the City and County of San Francisco Planning Code with revised use districts within the Bayview Hunters Point Plan Area; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Department) . ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

090998 [Settlement of Eminent Domain Lawsuit - Pacific Gas and Electric Company - \$112,000]

Ordinance authorizing settlement of the eminent domain lawsuit filed by Pacific Gas and Electric Company against the City and County of San Francisco et al., San Mateo Superior Court, Case No.449100; entitled Pacific Gas and Electric v. City and County of San Francisco, et al.; other material terms of said settlement are set forth in the Stipulation for Entry of Judgment in Condemnation contained in Board of Supervisors' File No. 090998. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

091186 [Settlement of Lawsuit - Gavin Smith - \$55,000]

Ordinance authorizing settlement of the lawsuit filed by Gavin Smith against the City and County of San Francisco for \$55,000; the lawsuit was filed on April 29, 2009, in San Francisco Superior Court, Case No. CGC-09-487887; entitled Gavin Smith v. City and County of San Francisco. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

091185 [Approval to award a three-year lease for surface parking between the Port of San Francisco and Priority Parking-CA, LLC (Lease No. L-14747)]

Resolution approving a Port Commission Lease with Priority Parking-CA, a California Limited Liability Corporation in the City and County of San Francisco, for certain real property located at SWL 322-I bounded by Front Street and Broadway, SWL 323 bounded by The Embarcadero and Davis Street, SWL 321 bounded by Front Street and Green Street, and SWL 324 bounded by Davis Street, Front Street and The Embarcadero for a term of 3 years. (Port) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

091187 [Authorizing the Office of Contract Administration to amend its contract with Xtech to increase the contract amount to \$40,000,000]

Resolution authorizing the Office of Contract Administration to enter into the Second Amendment between the City and Xtech (part of the Technology Store procurement vehicle), in which the amendment shall increase the contract amount from \$12,475,000 to \$40,000,000. (Office of Contract Administration) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

091188 [Authorizing the San Francisco Human Services Agency to apply for State funds available for fraud prevention and detection in the In-Home Supportive Services program]

Resolution authorizing Human Services Agency to submit a plan for State funding for In-Home Supportive Services fraud investigations and program integrity efforts pursuant to the California State Budget Act of 2009. (Human Services Department) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – October 20, 2009

Board Minutes for September 15, 2009 and September 22, 2009 approved.

Requests Granted

From: Supervisor Dufty

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation amending the zoning 47 Chenery Street in San Francisco to a Special Use District from RH2 so that the property can be allowed to proceed as a museum with special conditions attached.

From: Supervisor Dufty

To: Controller

To: Director, Human Rights Commission

To: Director, Department of Technology

Requesting/Inquiring: Requesting that the Controller, Human Rights Commission (HRC) and Department of Technology report on the need and value of upgrading HRC database of certified firms to improve keyword search capabilities.

Improving keyword searches and reflecting Standard Industrial Classifications (SIC) and NAICS Classifications could enable users to refine searches and better identify small and local businesses to bid on City work.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore and Post

Southwest corner of Divisadero and Sutter

9th Avenue and Judah (near bus stops)

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore

Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Irving and 9th Avenue

Irving and 7th Avenue

Southwest corner of Haight and Clayton

Southeast corner of Haight and Masonic

Examiner

Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily

Northwest corner of Hayes and Gough

City Star

Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly

Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes

Southeast corner Divisadero and Fulton
Northeast corner Stanyan and Waller
Northeast corner Laguna and Market
Northwest corner Golden Gate and Fillmore

Bus Shelters

Southeast corner Masonic and Fulton
Northwest corner Divisadero and Haight
Northeast corner Hayes and Fillmore
Northeast corner Oak and Fillmore
Southeast corner Masonic and Fulton
Fillmore and Haight (all 4 bus stops, graffiti and grime)

Emergency Boxes

Northeast corner Lyon and Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans

Southeast corner O'Farrell and Scott
Southeast corner Stanyan and Hayes
Northeast corner Laguna and Market

Northeast corner Central and Haight
Southeast corner Ashbury and Waller
Southwest corner Fillmore and Haight
On the middle block of 1300 Haight

Mailbox

On Fell Street, between Baker and Broderick, near DMV

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles

Northeast corner McAllister and Fulton

Southeast corner Waller and Clayton

Southwest corner Lassuant and Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

850 Cole
200 Divisadero
208 Scott
485 Scott
415 Haight
420 Haight
450 Haight
457 Haight
508 Haight
511 Haight
537 Haight
552 Haight
560 Haight
583 Haight
603 Haight
608 Haight
688 Haight
739 Haight
769 Haight
1300 Haight
1400 Haight
1500 Haight
1420 Haight

1570 Haight
495 Fulton
932 Hayes
338 Fillmore
1578 Fell

From: Supervisor Campos

To: Director, Department of Emergency Management

Requesting/Inquiring: Requesting an accounting of the distribution of UASI grants in fiscal years 2007-08, 2008-09, and 2009-2010 and any other information relevant to the administration of UASI grants and San Francisco's role as fiscal agent of these monies.

In Memoriams

Elder Garlin Bluford – Supervisor Mirkarimi

Lili Rachel Smith – Supervisor Chiu

Eric Buschman – Supervisor Avalos

Ramon Ramirez – Supervisors Dufty, Avalos, Elsbernd, and Mirkarimi

Evangeline Hermanson – Supervisor Mirkarimi

BOARD of SUPERVISORS



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TDD No. 554-5227

**Legislation Introduced
Including All Off-Calendar Items
October 27, 2009**

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

091233 [Amendments to Chapters 6 and 21, related to false claims]

Ordinance amending Administrative Code Sections 6.22, 6.42, and 21.35 to clarify that the false claims provisions of Chapters 6 and 12 are statutory rather than contractual and to eliminate the requirement that such provisions be incorporated into public works contracts or professional services contracts. Supervisor Alioto-Pier presented. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

091241 [Veterans Affairs Commission-expand membership and establish residency requirement]

Ordinance amending Administrative Code Section 5.102 to expand the number of members from 15 to 17 and establish a requirement that members reside in the City and County of San Francisco. Supervisor Alioto-Pier presented. RECEIVED AND ASSIGNED to Rules Committee.

091246 [Appropriating \$7,057,111 to restore positions effective November 16, 2009 in the Department of Public Health for FY 2009-2010]

Ordinance appropriating \$7,057,111 in General Fund Reserve to add 322.39 full-time equivalent positions and delete 272.95 full-time equivalent positions effective November 16, 2009, in the Department of Public Health for FY 2009-2010. Supervisor Daly presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091247 [Public Employment - Amendment to the Annual Salary Ordinance, FY 2009-2010. Department of Public Health]

Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance 2009-2010) to add 322.39 FTEs in various job classes and delete 272.95 FTEs in various job classes for 16.3 pay periods (November 16, 2009 through June 30, 2010) in the Department of Public Health. Supervisor Daly presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

**GOVERNMENT
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091251 [Development Fee Collection Procedure; Administrative Fee]

Ordinance amending the San Francisco Building Code by adding Section 107A.13 to establish a procedure for the Department of Building Inspection (DBI) to collect development impact and in lieu fees, to provide that the fees are payable prior to issuance of the first building permit or other document authorizing construction of the project, with an option for the project sponsor to defer payment to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge on the amount owed that would be deposited into the same fund that receives the development fees, to require that any in-kind public benefit benefits required in lieu of payment of development fees are implemented prior to issuance of the first certificate of occupancy for the project, to require DBI to generate a Project Development Fee Report prior to issuance of the building or site permit for the project listing all fees due with the opportunity for an appeal of technical errors to the Board of Appeals, to establish a Development Fee Collection Unit within DBI and a fee for administering the program; adopting findings, including environmental findings. Mayor presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

091252 [Affordable Housing Transfer Fee Restriction Alternative for Inclusionary and Jobs Housing Linkage Programs]

Ordinance amending the San Francisco Planning Code by amending Sections 313.4 and 315.5 and by adding Section 313.16 to add an alternative for compliance with the Jobs Housing Linkage Program and the Residential Inclusionary Affordable Housing Program by allowing a project sponsor to defer 33% of its obligation under either Program in exchange for recording an Affordable Housing Transfer Fee Restriction on the affected property providing that 1% of the value of the property be paid to the Citywide Affordable Housing Fund at every future transfer of the Property. Mayor presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

091260 [Payment of Award to John Doe]

Ordinance authorizing payment of a \$10,000 reward for supplying information leading to the arrest and conviction of the person(s) responsible for the death of Jaquain Williams. Supervisor Duffy presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091261 [Payment of Award to John Doe]

Ordinance authorizing payment of a \$10,000 reward for supplying information leading to the arrest and conviction of the person(s) responsible for the deaths of Jovanie Banks, Michael Hill and Restelli Richson. Supervisor Duffy presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

091242 [Urging the Navy to immediately reinstate the former Restoration Advisory Board]

Resolution urging the United States Navy immediately to reinstate the Restoration Advisory Board of the Hunters Point Shipyard. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

091243 [Support Goals for Federal Funding-Community Development Block Grant]

Resolution supporting FY 2010-2011 Community Development Block Grant Action Plan Goals. Supervisor Avalos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091244 [Accept and Expend Federal Grant - San Francisco Elder Abuse Project - \$300,000]

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$300,000 through the United States Department of Justice, Bureau of Justice Assistance, for a program entitled "San Francisco Elder Abuse Project" for FY July 2009 through June 2012. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Public Safety Committee.

091245 [Accept and Expend Federal Grant - Center for Academic Re-entry for Truant Students - \$238,000]

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$238,000 through the United States Department of Education, for a program entitled "Center for Academic Re-Entry Expansion Project for Truant Students" for the period from August 24, 2009, through August 31, 2011. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Public Safety Committee.

091248 [Resolution of Intention to Establish Special Tax District No. 2009-1]

Resolution of intention to establish Special Tax District in the City and County of San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing). Mayor, Supervisor Mar presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 091249 [Resolution of intention to incur bonded indebtedness in an amount not greater than \$150,000,000]**
Resolution of intention to incur bonded indebtedness in an amount not greater than \$150,000,000 of special tax bonds to finance the costs of energy efficiency, water conservation and renewable energy projects on real property. Mayor, Supervisor Mar presented. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 091250 [Granting approval of Public Defender personnel requisition requests]**
Resolution pursuant to Annual Salary Ordinance Section 1.1C granting approval of the Office of the Public Defender's personnel requisitions # PE8017/1106107, PE8018/1106108, P8030/1106096, P8031/1106098, DP8004/1106097, P8032/1106948 and P8033/1107530 to fill vacant positions. Supervisors Mirkarimi, Campos presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091253 [Accept and Expend Grant for H1N1 Swine Flu Information and Guidance Team - \$180,000]**
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$180,000 from the Metta Fund to support the Swine Flu Information and Guidance Team; for the period of October 6, 2009, through October 5, 2010. Mayor presented. RECEIVED AND ASSIGNED to Public Safety Committee.
- 091255 [Declaring November 8 to November 14, 2009, Radiology Week]**
Resolution declaring November 8 to November 14, 2009, Radiology Week in San Francisco. Supervisor Dufty presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091256 [Celebrating the Cliff House on its Centennial of the 1909 building]**
Resolution celebrating the Cliff House on its Centennial of the 1909 building. Supervisors Mar, Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091257 [Approval of Additional Emergency Work at Midtown Park Apartments]**
Resolution authorizing the Director of the Mayor's Office of Housing to take all necessary measures to protect the health and safety of the residents of Midtown Park Apartments by performing additional emergency repairs to the sewer systems and exterior staircases. Supervisor Mirkarimi presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091258 [Proclaiming November 5, 2009, as Elaine Mikels Day]**
Resolution proclaiming November 5, 2009, as "Elaine Mikels Day" in San Francisco. Supervisor Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091259 [Approval of a 30-day extension for Planning Commission review]**
Resolution extending, by 30 days, the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend the definition of Tobacco Paraphernalia Establishments in Section 227(v), to lower the threshold for retail stores to be considered Tobacco Paraphernalia Establishments from 15% of the square footage of the establishment to 10% of the occupied floor area, as defined in Section 102.10, or 10 linear feet of display area in total, whichever is less; amending Sections 790.123 and 890.123 to reflect this definition; amending Section 723.1 and the Table at Section 723, to make Tobacco Paraphernalia Establishments, as defined, not permitted in the Polk Street Neighborhood Commercial District; amending Section 186.1, to change the period of non use for a nonconforming Tobacco Paraphernalia Establishment use be deemed discontinued in the Polk Street NCD from three years to eighteen months, and making findings of consistency with the priority policies of the Planning Code Section 101.1 and environmental findings. Supervisor Chiu presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

- 091221 [The Current Economic Crisis: Impact and Recommendations for San Francisco's Women and Girls]**
Hearing from experts, including the Department on the Status of Women, on the current economic crisis and its impact on women and girls which will focus on the recommendations, including a "buy local" purchasing policy, systems to engage women in construction and trade jobs created by the stimulus package and increased childcare slots and supports for working parents. Supervisors Alioto-Pier, Maxwell, Chu presented. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

091224 [Development and implementation of the San Francisco Crisis Care Program]

Hearing on the development and implementation of a Crisis Care program in the City and County of San Francisco, to examine how the City and County of San Francisco can assist in the development and implementation of the San Francisco Crisis Care program which is a community based coalition, whose mission is to help people impacted by traumatic events rebuild healthy, fulfilling, productive lives and by providing on-scene personal support to survivors traumatized by suicides, homicides, accidents and other daily tragedies. Supervisor Alioto-Pier presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

091225 [Entertainment Commission/Police Department's review on violence and public safety incidents associated with entertainment venues]

Hearing to review statistics from the Entertainment Commission and the Police Department regarding violence and public safety incidents associated with entertainment venues and to receive updates about the Entertainment Commission's review of relevant complaints. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Public Safety Committee.

091228 [San Francisco's coordination with city agencies for the flu season]

Hearing to discuss the City of San Francisco's coordination with the Department of Public Health, other relevant agencies and the San Francisco Unified School District in preparing for the flu season and the very serious H1N1 virus which will especially focus on at risk residents and communities. Supervisor Mar presented. RECEIVED AND ASSIGNED to Public Safety Committee.

Motion

091254 [Adopting findings reversing the exemption determination for the 430 Main Street/429 Beale Street project]

Motion adopting findings reversing the exemption determination by the Planning Department that the 430 Main Street/429 Beale Street project is exempt from further environmental review. (Clerk of the Board) . REFERRED to Board of Supervisors.

Clerk to Act – October 27, 2009

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following location:

Potholes and Sidewalk issues

On Steiner, South side of Fulton, East side of street

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

1328 Turk (on the Webster side of building)

423 Laguna

754 Fell

1559 Fulton

1020 Haight

525 Haight

537 Haight

528 Haight

508 Haight

539 Gough

428 Haight

424 Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles

Northwest corner Turk & Webster

Southeast corner Ash & Gough

Southwest corner Waller & Fillmore

Northeast corner McAllister & Fillmore

Wood Pole

Northeast corner Page & Webster

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes

Northwest corner Pine & Fillmore
Across the street from 750 Stanyan

Bus Shelter

Northwest corner McAllister & Fillmore
Northwest corner Hayes & Steiner
Fillmore and Haight (all 4 bus stops, graffiti and grime)

Emergency Boxes

Northwest corner Bush & Webster
Southwest corner Grove & Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans

Southeast corner Beulah & Stanyan
Southeast corner Stanyan & Hayes
Northwest corner Broderick & Haight
Northeast corner Golden Gate & Webster
Southeast corner Buena Vista West & Haight
Southeast corner Buena Vista East & Haight
Southwest corner of Fillmore & Haight

Mailbox

Northwest corner Sutter & Fillmore

Street Wall and Overpasses

On Geary & Webster, middle of overpass, East side of street

Sidewalk

Southeast corner Divisadero & Grove

From: Supervisor Mirkarimi

To: Director, Department of Public works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore & Post

Southwest corner of Divisadero & Sutter
9th Avenue & Judah (near bus stops)
7th Avenue & Irving (near bus stops)
Northwest corner of Hayes & Fillmore
Southeast corner of Fillmore & Haight

San Francisco Chronicle

Northwest corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore
Irving & 9th Avenue
Irving & 7th Avenue
Southwest corner of Haight & Clayton
Southeast corner of Haight & Masonic

Examiner

Northwest corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore

SF Daily

Northwest corner of Hayes & Gough

City Star

Northwest corner of Hayes & Gough
Southeast corner of Fillmore & Haight

SF Weekly

Southeast corner of Masonic & Haight
Southeast corner of Haight & Fillmore

In Memoriams

John Baldwin O'Brien – Supervisor Alioto-Pier
Nancy M. Daly – Supervisors Alioto-Pier and Dufty
Dr. Louis Batmale – Supervisor Alioto-Pier
Jamen Amato – Supervisor Alioto-Pier
John Melone – Supervisor Daly

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**Legislation Introduced
Including All Off-Calendar Items
November 3, 2009**

OFF-AGENDA LEGISLATION

**GOVERNMENT
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Introduced by Supervisors or Mayor

Ordinances

- 091269 [Payroll Expense Tax Biotechnology Exclusion Amendment]**
Ordinance amending Section 906.1 of the San Francisco Business and Tax Regulations Code to clarify the definition of "biotechnology business" and to allow applicants to claim the biotechnology exclusion for seven and one half years irrespective of the application date. Supervisor Alioto-Pier presented. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 091271 [Zoning - Amending Planning Code to Create a Comprehensive and Consistent Set of Street Frontage Controls]**
Ordinance amending the San Francisco Planning Code by amending Sections 145.1, 201, 243, 253, 261.1, and 270.2 to create a comprehensive and consistent set of street frontage controls for most use districts that allow a mix of uses; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. Supervisor Mirkarimi presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 091272 [Port Commission Revenue Bond Law]**
Ordinance amending the San Francisco Administrative Code by adding Chapter 43, Article XII, Sections 43.12.1 through 43.12.8, to authorize the issuance of revenue bonds by the Port Commission. Mayor presented. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 091274 [Appropriating \$33,395,571 of Port Revenue Bond Proceeds for Pier Repairs and Renovations at the Port of San Francisco for FY 2009-2010]**
Ordinance appropriating \$33,395,571 of bond revenue for the Port of San Francisco to make repairs and renovations to Piers 35, 33, 19 or 23, 27, and 50 for FY 2009-2010, and placing \$33,395,571 on Controller's reserve pending sale of bonds. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091275 [Development Impact and In-Lieu Fees]

Ordinance amending the San Francisco Planning Code by creating Article 4 for development impact fees and development impact requirements that authorize the payment of in-lieu fees; by adding Section 402 to provide that all Planning Code development impact and in-lieu fees will be collected by the Department of Building Inspection prior to issuance of the first building permit or other document authorizing construction of the project, with an option for the project sponsor to defer payment to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge on the amount owed that would be deposited into the same fund that receives the fees; by requiring that any in-kind public improvements required in-lieu of payment of development fees are implemented prior to issuance of the first certificate of occupancy for the project; by moving Planning Code Sections 139, a portion of 249.33, 313-313.15, 314-314.8, 315-315.9, 318-318.9, 319-319.7, 326-326.8, 327-327.6, and 331-331.6 and Chapter 38 of the San Francisco Administrative Code (Transit Impact Development Fee) to Article 4 and renumbering and amending the sections; adding introductory sections for standard definitions, payment and collection procedures, conditions of approval, dispute resolution and appeal procedures, waivers, credits, notice, lien procedure, and development fee evaluations every five years; by providing for an appeal of technical fee calculation issues to the Board of Appeals rather than the Planning Commission; requiring the Controller to issue an annual Citywide Development Fee Report; deleting duplicative code provisions and using consistent definitions, language and organization throughout; adopting findings, including Section 302 and environmental findings; instructing the publisher to put a note at the original location of the renumbered sections stating that the text of those sections has been moved and providing the new section number. Mayor presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

091276 [Accept and Expend Grant - Edward Byrne Memorial Justice Assistance in the amount of \$2,700,314 and Amending the Annual Salary Ordinance FY 2009-2010]

Ordinance authorizing the Department of Children, Youth & Their Families (DCYF) to accept and expend grant funding in the amount of \$2,700,314 from the Federal Department of Justice, Office of Justice Programs for implementation of criminal justice programs and amending the Annual Salary Ordinance No. 183-09 and to create grant-funded position at DCYF. Mayor presented. RECEIVED AND ASSIGNED to Public Safety Committee.

091251 [Development Fee Collection Procedure; Administrative Fee]

Ordinance amending the San Francisco Building Code by adding Section 107A.13 to establish a procedure for the Department of Building Inspection (DBI) to collect development impact and in-lieu fees, to provide that the fees are payable prior to issuance of the first building permit or other document authorizing construction of the project, with an option for the project sponsor to defer payment to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge on the amount owed that would be deposited into the same fund that receives the development fees, to require that any in-kind public benefits required in-lieu of payment of development fees are implemented prior to issuance of the first certificate of occupancy for the project, to require DBI to generate a Project Development Fee Report prior to issuance of the building or site permit for the project listing all fees due with the opportunity for an appeal of technical errors to the Board of Appeals, to establish a Development Fee Collection Unit within DBI and a fee for administering the program; adopting findings, including environmental findings. Mayor presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

Resolutions

091270 [Accept and Expend Grant - Urban Trails of San Francisco - \$1,000,000]

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the Substance Abuse and Mental Health Services Administration in the amount of \$1,000,000 to provide direct services for American Indian/Alaskan Native children and families; for the period of September 30, 2009, through September 29, 2010. Supervisor Duffy presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

091273 [Port Commission Revenue Bonds not to exceed \$45,000,000]

Resolution authorizing the issuance of up to \$45,000,000 aggregate principal amount of Port revenue bonds for the purpose of financing certain capital improvements related to the Port; approving the forms of documents relating thereto; approving the maximum interest thereon; and related matters. Mayor presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 091279 [Resolution to Acquire Real Property Interests by Eminent Domain-Water System Improvement Program-Funded Bay Division Pipeline Reliability Upgrade Tunnel]**
Resolution authorizing acquisition of subsurface tunnel easements in real property in Alameda County and San Mateo County, consisting of portions of Alameda County Assessor's Parcels 537-0551-028, 537-0551-020 and 537-0551-021-01 in the City of Newark, Alameda County Assessor's Parcel 537-0852-008 in the City of Fremont, San Mateo County Assessor's Parcels 063-590-060 and 096-230-110 in the City of Menlo Park, and in real property owned by San Mateo County Transit District in the City of Menlo Park, located east of University Avenue between Assessor's Parcels 093 600-010 and 063-590-060, by eminent domain, for the public purpose of constructing the Public Utilities Commission Water System Improvement Program-Funded Project CUW36801, Bay Division Pipeline Reliability Upgrade - Tunnel; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings of consistency with the General Plan and under City Planning Code Section 101.1. Mayor presented. RECEIVED AND ASSIGNED to Board of Supervisors.
- 091281 [Condemning Californians for Population Stabilization TV and Radio Ads]**
Resolution condemning Californians for Population Stabilization (CAPS) TV and Radio Ads. Supervisors Mar, Campos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091282 [Commending Del Monte for its Commitment to Keep its Headquarters in San Francisco]**
Resolution commending Del Monte Corporation for its continued commitment to keep its headquarters in San Francisco. Supervisors Alioto-Pier, Dufty, Maxwell presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

- 091263 [Biotechnology Payroll Tax Exclusion]**
Hearing to consider the Controller's Report on the Biotechnology Payroll Tax Exclusion, required by Section 906.1(i) of Article 12-A of the San Francisco Business and Tax Regulations Code. Supervisor Alioto-Pier presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091278 [Public Hearing - Acquisition of Property by Eminent Domain - Subsurface Tunnel Easements in Alameda County and San Mateo County]**
Hearing of persons interested in or objecting to proposed Resolution authorizing acquisition of subsurface tunnel easements in real property in Alameda County and San Mateo County, consisting of portions of Alameda County Assessor's Parcels 537-0551-028, 537-0551-020 and 537-0551-021-01 in the City of Newark, Alameda County Assessor's Parcel 537-0852-008 in the City of Fremont, San Mateo County Assessor's Parcels 063-590-060 and 096-230-110 in the City of Menlo Park, and in real property owned by San Mateo County Transit District in the City of Menlo Park, located east of University Avenue between Assessor's Parcels 093 600-010 and 063-590-060, by eminent domain, for the public purpose of constructing the Public Utilities Commission Water System Improvement Program-Funded Project CUW36801, Bay Division Pipeline Reliability Upgrade - Tunnel; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings of consistency with the General Plan and under City Planning Code Section 101.1. Mayor presented. SCHEDULED FOR PUBLIC HEARING.
- 091280 [Juvenile Probation Department's Policy Regarding Undocumented Minors]**
Hearing on the Juvenile Probation Department's policy regarding undocumented minors. Supervisor Campos presented. RECEIVED AND ASSIGNED to Public Safety Committee.

Motion

091277 [Motion to Hold Public Hearing on Adopting a Resolution to Acquire Property by Eminent Domain]

Motion directing the Board of Supervisors to hold a public hearing on November 24, 2009, with the Board sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of subsurface tunnel easements in real property in Alameda County and San Mateo County, consisting of portions of Alameda County Assessor's Parcels 537-0551-028, 537-0551-020 and 537-0551-021-01 in the City of Newark, Alameda County Assessor's Parcel 537-0852-002-08 in the City of Fremont, San Mateo County Assessor's Parcels 063-590-060 and 096-230-110 in the City of Menlo Park, and in real property owned by San Mateo County Transit District in the City of Menlo Park, located east of University Avenue between Assessor's Parcels 093 600-010 and 063-590-060, by eminent domain, for the public purpose of constructing the Public Utilities Commission Water System Improvement Program-Funded Project CUW36801, Bay Division Pipeline Reliability Upgrade - Tunnel; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings of consistency with the General Plan and under City Planning Code Section 101.1. Mayor presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

091230 [Department of Building Inspection Cash Revolving Fund]

Ordinance amending San Francisco Administrative Code Section 10.135 to increase the cash revolving fund of the Department of Building Inspection from \$600 to \$2,000. (Building Inspection Department) . ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

091231 [Authorizing the Municipal Transportation Agency to Implement On-Street Parking Meter and Parking Control Pilot Projects]

Ordinance authorizing the Municipal Transportation Agency to implement and extend SFPark parking meter and parking control pilot projects. (Municipal Transportation Agency) . ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

PROPOSED RESOLUTIONS

090679 [Amendment to the John Stewart Company Sublease]

Resolution approving and authorizing the execution of a Fifth Amendment to Sublease with the John Stewart Company to discontinue Earthquake and Flood Insurance. (Treasure Island Development Authority) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

091232 [Approval of the Ryan White HIV Emergency Relief Grant Program Application]

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to submit an application to continue to receive funding for the "HIV Emergency Relief Programs (Ryan White Programs, Part A)" grant from the Health Resources Services Administration (HRSA), requesting \$36,118,233 in HIV emergency relief program funding for the San Francisco Eligible Metropolitan Area (EMA); from March 1, 2010, through February 28, 2011. (Public Health Department) . RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

091236 [Approval of Contract for Personal Assisted Employment Services Program for the Department of Public Health]

Resolution authorizing the San Francisco Department of Public Health to enter into a contract with Richmond Area Multi-Services, Inc., to provide mental health services through the Personally Assisted Employment Services program for the term of January 1, 2010, through June 30, 2016. (Public Health Department) . RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Clerk to Act – November 3, 2009

Board Minutes for October 6, 2009 approved.

Requests Granted

From: Supervisor Campos

To: Director, Juvenile Probation Department

Requesting/Inquiring: We respectfully request that the Juvenile Probation Department [hereinafter "the Department"] respond to and provide any and all information and documentation, in whatever form, including, hard copies, electronic form, email or any other correspondence regarding the following:

1. An accounting of how the Department uses city funds to comply with Juvenile Probation Department policy 8.12, the Department's policy regarding the intake, processing and release of undocumented minors (effective date August 2008).
2. All intake and processing forms used by the Department at the referral and booking stage.
3. All information regarding the Department's caseload for the last two years, broken out by month.
4. An explanatory memorandum and any relevant Department materials related to answering the following questions:
 - a. Does the Department consider itself and/or intend to act as a de facto arm of the United States Bureau of Immigration and Customs Enforcement? How is the Department ensuring that probation officers are not doing the work of federal immigration officials?

I kindly request the Department deliver this information within thirty days.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans

Southwest corner Fillmore & Haight

Northeast corner Clayton & Haight

Southwest corner Baker & Haight

Mailboxes

Southwest corner Post & Broderick

Northeast corner Laguna & Grove

Street Wall and Overpasses

On Geary & Webster, middle of overpass, East side of street

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore & Post
Southwest corner of Divisadero & Sutter
9th Avenue & Judah (near bus stops)
7th Avenue & Irving (near bus stops)
Northwest corner of Hayes & Fillmore
Southeast corner of Fillmore & Haight

San Francisco Chronicle

Northwest corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore
Irving & 9th Avenue
Irving & 7th Avenue
Southwest corner of Haight & Clayton
Southeast corner of Haight & Masonic

Examiner

Northwest corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore

SF Daily

Northwest corner of Hayes & Gough

City Star

Northwest corner of Hayes & Gough
Southeast corner of Fillmore & Haight

SF Weekly

Southeast corner of Masonic & Haight
Southeast corner of Haight & Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

628 Divisadero
1310 Turk
1067 Oak
499 Steiner (on the Oak Street side)
489 Grove

298 Pierce
774 Page
778 Page
509 Haight
442 Haight
501 Waller
444 Haight
525 Haight
533 Haight
799 Haight
401 Duboce (on the Duboce & Fillmore side of building)
900 Haight
901 Haight
1301 Haight
1667 Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles

Southwest corner Haight & Fillmore

Southwest corner Waller & Fillmore

Northeast corner Fillmore & Hermann

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes

Northeast corner Post & Broderick

Northwest corner of Duboce & Church

Bus Shelters

Northeast corner Masonic & Haight

Southeast corner Fillmore & Oak (500 block of Fillmore)

Southwest corner Buena Vista West & Haight

Southwest corner Buchanan & Haight

Fillmore & Haight (all 4 bus stops, graffiti & grime)

In Memoriams

Florence Vivian Sarrett – Supervisor Dufty

Warren H. van Eck – Supervisor Dufty

Steven Patrick Dub – Supervisor Chu

Lawrence Halprin – Supervisor Alioto-Pier

Eric Knudtson – Supervisor Dufty

Nancy M. Daly – Supervisors Alioto-Pier and Dufty

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tel. No. 554-5184
TDD No. 554-5227

Legislation Introduced
Including All Off-Calendar Items
November 10, 2009

OFF-AGENDA LEGISLATION

GOVERNMENT
DOCUMENTS DEPT

NOV 13 2009

Introduced by Supervisors or Mayor

Ordinances

SAN FRANCISCO
PUBLIC LIBRARY

091300 [SFMTA Fare Evasion Regulation Amendments]

Ordinance amending San Francisco Transportation Code, Division I, by amending Sections 1.1, 7.2, and 7.2.101 to redefine requirements for the SFMTA Proof of Payment Program, eliminate the designation of Proof of Payment Zones, clarify that the prohibitions listed in Article 7 are violations of laws, and permit fare evasion enforcement for failure to display a valid fare receipt or valid fare media at the request of any authorized representative of the transit system or duly authorized peace officer after that person has been observed by the transit representative or peace officer on a public transit vehicle or in the paid area of an SFMTA transit station; and to make technical corrections. Supervisor Duffy presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

091137 [Mills Act Contract Procedures]

Ordinance amending Chapter 71 of the San Francisco Administrative Code regarding historical property (Mills Act) contract procedures to reflect amendments made to the San Francisco Charter to create the Historic Preservation Commission, expand the definition of "qualified historical property" to include properties listed on the California Register of Historical Resources, establish certain time lines for review of applications for historical property contracts, require Budget Analyst review of applications for historical property contracts, and making other clarifying amendments; and making findings, including environmental findings. Supervisor Alioto-Pier presented. ASSIGNED to Rules Committee.

091136 [Mandatory Prequalification, Training, and Safety Certification Requirements for Public Works Projects]

Ordinance amending Administrative Code Chapter 6, Public Works Contracting Policies and Procedures, Section 6.20(f), to require mandatory bidder prequalification for all public works contracts and set minimum requirements for prequalification; amending Section 6.22(o) to establish training requirements applicable to apprentices and journeymen; and amending Section 6.22(p) to establish minimum safety training and certification requirements for electricians working on a jobsite. Supervisor Alioto-Pier presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

091113 [Seismic Strengthening of Soft-Story, Wood-Frame Buildings]

Ordinance finding a compelling public policy basis for expediting the processing and review of permits for voluntary seismic retrofit upgrades of soft-story, wood-frame buildings and amending the Planning Code, Building Code, Fire Code, and Public Works Code to waive permit processing fees for the proportionate share of work related to such seismic retrofit upgrades; making environmental findings and findings of consistency with the City's General Plan and Planning Code Section 101.1. Mayor presented. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

Resolutions

091292 [Commending Northern Station Police Captain Al Casciato]

Resolution Commending Captain Al Casciato for his contributions to the City and County of San Francisco, and his dedicated service as Captain of the Police Department's Northern Station. Supervisors Alioto-Pier, Mirkarimi, Avalos presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

091293 [Approval of a 30-Day Extension for Planning Commission Review]

Resolution extending by 30-days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Planning Code Section 303(i) to require new applicants of formula retail establishments to appoint a community liaison, and making findings of consistency with the priority policies of the Planning Code Section 101.1, and environmental findings. Supervisor Alioto-Pier presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

091297 [Expressing the Commitment of the Board of Supervisors to Refund the General Fund Reserve with Revenue from Assembly Bills 1383 and 188]

Resolution expressing the commitment of the Board of Supervisors to backfill reductions in the General Fund Reserve with revenues from Assembly Bills 1383 and 188. Supervisors Chiu, Duffy, Daly presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091298 [Accept and Expend Grant - Mortgage and Investment Fraud Project - \$1,066,026]

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend grant funds from the American Recovery and Reinvestment Act in the amount of \$1,066,026 through the United States Department of Justice, Bureau of Justice Assistance, for a program entitled "Mortgage and Investment Fraud Prosecution and Education Project" for the period from August 1, 2009, through July 31, 2011. Supervisor Chiu presented. RECEIVED AND ASSIGNED to Public Safety Committee.

091299 [Extending the Single Room Occupancy Task Force to December 31, 2012]

Resolution amending the Single Room Occupancy Task Force to extend it three (3) years beyond the current sunset date of December 31, 2009, to December 31, 2012, and increasing its membership by one (1) member to fourteen (14) to include one (1) additional tenant representative: nine (9) members appointed by the Board of Supervisors; four (4) appointed by designated department heads; and one (1) chair appointed by the Director of Health. Supervisors Duffy, Campos, Chiu, Daly presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

091301 [Approval of a Three (3) Month Extension for Planning]

Resolution extending by three (3) months the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Section 729 to add new Sub-section 729.52A and adding new Section 790.115 to require conditional use authorization in the West Portal Avenue Neighborhood Commercial District for certain personal service nail salons, as defined; and making findings of consistency with the General Plan, the priority policies of the Planning Code Section 101.1, and environmental findings. Supervisor Elsbernd presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

091302 [Accept and Expend Grant - Police Department Emergency Operations Center - \$1,000,000]

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend an earmark grant in the amount of \$1,000,000 from the California Emergency Management Agency through the Federal Emergency Management Agency for the purchase of equipment and construction of the San Francisco Police Department Emergency Operations Center. Supervisor Elsbernd presented. RECEIVED AND ASSIGNED to Public Safety Committee.

- 091303 [Accept and Expend Grant - California Multi-Jurisdictional Methamphetamine Enforcement Team Program - \$346,785]**
Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$346,785 from the Governor's Office of Emergency Services for a project entitled "California Multi-Jurisdictional Methamphetamine Enforcement Team (CAL-MMET)" Program. Supervisor Elsbernd presented. RECEIVED AND ASSIGNED to Public Safety Committee.
- 091304 [Endorsement of World March for Peace and Nonviolence]**
Resolution endorsing the first World March for Peace and Nonviolence, calling for the end of war and nuclear arms, and the elimination of violence of all kinds. Supervisor Mar presented. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091305 [Accept and Expend Grant - Point Lobos Streetscape Improvements Project - \$461,000]**
Resolution authorizing the Department of Public Works to accept and expend a Federal grant in the amount of \$408,123 and a State grant in the amount of \$52,877 from the Metropolitan Transportation Commission for the Point Lobos Streetscape Improvements Project. Supervisor Mar presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Requests for Hearing

- 091296 [Backlog in the Police Disciplinary Process and Potential Reforms]**
Hearing to discuss the backlog in the police disciplinary process and potential reforms. Supervisors Chiu, Elsbernd presented. RECEIVED AND ASSIGNED to Public Safety Committee.
- 091306 [San Francisco's African American Infant Health Program]**
Hearing on the disproportionately high fetal and infant mortality rates in San Francisco's African American population. Supervisor Maxwell presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 091307 [Sharp Park Restoration Alternatives]**
Hearing to review the "Sharp Park Conceptual Restoration Alternatives" and "Sharp Park Mitigation Bank Financial Viability and Analysis" Reports, which were prepared by the Recreation and Parks Department in response to Ordinance No. 85-09. Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

- 091264 [Settlement of Lawsuits - Earnest Henderson, Janel Gotta, Aaron Rauls, Michael Perez, Arturo Pleitez, and Mack Woodfox - \$217,000]**
Ordinance authorizing settlement of two lawsuits, which were filed by Earnest Henderson, Janel Gotta, Aaron Rauls, Michael Perez, Arturo Pleitez, and Mack Woodfox against the City and County of San Francisco and its employees for a total amount of \$217,000; the first lawsuit was filed on January 14, 2005, in the United States District Court for the Northern District of California, Case No. C05-0280 VRW/WAF, entitled Earnest Henderson, et al., v. City and County of San Francisco, et al.; the second lawsuit was filed on October 18, 2005, in the United States District Court for the Northern District of California, Case No. C05-4220 VRW; entitled Mack Woodfox v. City and County of San Francisco, et al.; the above total settlement amount also includes all claims for costs and attorneys' fees. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.
- 091265 [Settlement of Lawsuits - Joanne Lozenski, Juanita Stockwell, and Susan Rolovich - \$95,000]**
Ordinance authorizing settlement of the lawsuit filed by Joanne Lozenski, Juanita Stockwell, and Susan Rolovich against the City and County of San Francisco, Alex Fagan, and Rod Nakanishi for \$95,000; the lawsuit was filed on December 14, 2004, in San Francisco Superior Court, Case No. 04-436254; entitled Lozenski, et al., v. City and County of San Francisco, et al. (City Attorney) . RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

- 091266 [Prevailing Wages for Workers on Public Works/Improvement Projects, Janitorial Services, Public Off-Street Parking Lots, Garages, or Auto Storage Facilities, Theatrical Services, Moving Services and Hauling Solid Waste]
Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; (5) workers performing moving services under City contracts at facilities owned or leased by the City; and (6) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City. (Civil Service Commission) Supervisor Mirkarimi presented. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091267 [Lease of Property at 3801 Third Street]
Resolution approving a lease at Bayview Plaza, 3801 Third Street, at Evans Street, for the Human Services Agency under Administrative Code Section 23.27. (Real Estate Department) . RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – November 10, 2009

Board Minutes for October 20, 2009 approved.

Requests Granted

From: Supervisor Elsbernd

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to examine the City and County of San Francisco Park Code and identify language to deter individuals from entering animal enclosures at the San Francisco Zoo and other Recreation and Park Department property, including, but not limited to punishment by fine and/or imprisonment.

From: Supervisor Dufty

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation that provides requirements that all capital development projects that receive Government Funds (Local, State, or Federal) must develop and present a feasibility study that considers the build out of an on-site child care facility when constructing, rehabilitating, improving, or providing major renovations to the building.

The feasibility study will determine the need for on-site child care within the building based on the child care needs of the City's employees to be housed in the building and in the immediate surrounding area. And in order to promote the provision of high quality, affordable child care, the feasibility study shall explore options to mitigate rental and development costs for the space allocated for the child care facility; furthermore the development of the child care facility shall include the finishes, furnishings, and equipment required for use in both the interior and exterior spaces for such facilities as required by State Community Care Licensing.

From: Supervisor Daly

To: Controller

Requesting/Inquiring: Letter of Inquiry for Office of the Controller. Does Mayor Gavin Newsom's payment of a "Life Coach" and or "Corporate Facilitator" include any use of public funds?

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans

Southwest corner Cole & Haight
Northwest corner Fulton & Gough

Mailboxes

On Geary between Fillmore & Steiner, south side of street
Southwest corner Turk & Lyon
Northeast corner Hayes & Buchanan
Southwest corner Central & Waller
Southwest corner Fulton & Gough

Street Wall and Overpasses

On Geary & Webster, middle of overpass, East side of street

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore & Post
Southwest corner of Divisadero & Sutter
9th Avenue & Judah (near bus stops)
7th Avenue & Irving (near bus stops)
Northwest corner of Hayes & Fillmore
Southeast corner of Fillmore & Haight

San Francisco Chronicle

Northwest corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore
Irving & 9th Avenue
Irving & 7th Avenue
Southwest corner of Haight & Clayton
Southeast corner of Haight & Masonic

Examiner

Northwest corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore

SF Daily

Northwest corner of Hayes & Gough

City Star

Northwest corner of Hayes & Gough
Southeast corner of Fillmore & Haight

SF Weekly

Southeast corner of Masonic & Haight
Southeast corner of Haight & Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

469 Fell
350 Laguna
355 Laguna
525 Cole
451 Cole
401 Cole
1407 Oak
600 Divisadero
850 Divisadero
998 Divisadero
1007 Divisadero
497 Fulton
1355 Fulton
580 Hayes
587 Haight
420 Haight
839 Haight
928 Haight
DeAvila School, on Haight between Central & Masonic
1686 Haight
1575 Haight
1486 Haight
1449 Haight
1556 Haight
1619 Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes

Northwest corner McAllister & Webster
Northwest corner Divisadero & Oak
Northwest corner Fulton & Fillmore
Northwest Baker & Fulton

Bus Shelter

Southwest corner Masonic & Haight

Southeast corner Geary & Laguna

Fillmore & Haight (all 4 bus stops, graffiti & grime)

Fire Hydrant

Southwest corner O'Farrell & Scott

Emergency Box

Northeast corner McAllister & Steiner

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Pole

Southeast corner Geary & Scott

In front of 1881 Sutter

In front of 940 Hayes

Southwest corner Lassuant & Buchanan

Northeast corner Waller & Webster

Wood Pole

In front of 40 Fillmore

In Memoriams

Loretta Florence Phillips – Supervisor Daly

590
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117/09

Board of Supervisors



City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tel. No. 554-5184
TDD No. 554-5227

Legislation Introduced

November 17, 2009

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by Supervisors or Mayor

GOVERNMENT
DOCUMENTS DEPT

NOV 20 2009

Ordinances

SAN FRANCISCO
PUBLIC LIBRARY

091334 [Booths and Other Private Spaces in Places of Entertainment and Extended Hours Premises]

Sponsor: Mar

Ordinance amending Sections 1060.10 and 1070.13 of the Police Code to state the visibility requirement applicable to booths and other private spaces in Places of Entertainment and Extended-Hours Premises; to state the purpose of the visibility requirement; and to authorize the Entertainment Commission to adopt regulations implementing the visibility requirement. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

091336 [Public Employment - Annual Salary Ordinance FY 2009-2010 for the Department of the Environment]

Sponsor: Mayor

Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance FY 2009-2010) to reflect the addition of one position (.63 FTE) Class 5638 Environmental Assistant in the Department of the Environment. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

091330 [Urging the Department of Social Services to Immediately Reverse the Policy Excluding a Person with Any Felony Conviction from Serving as an In-Home Supportive Services Homecare Provider]

Sponsor: Avalos

Resolution urging the Department of Social Services to immediately reverse the policy excluding a person with any felony conviction or serious misdemeanor from serving as an In-Home Supportive Services independent homecare provider. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 091333 [Approving a Loan in an amount up to \$171,000,000 from the U.S. Department of Transportation to the Transbay Joint Powers Authority]**
Sponsor: Daly
 Resolution approving a Loan in an amount up to \$171,000,000 from the U.S. Department of Transportation to the Transbay Joint Powers Authority and making certain public benefit findings for the Transbay Transit Center program under California Government Code Section 6586.5. RECEIVED AND ASSIGNED to Board of Supervisors.
- 091335 [Establishing Infill Opportunity Zones for Congestion Management Planning]**
Sponsors: Mirkarimi; Maxwell
 Resolution establishing Infill Opportunity Zones for Congestion Management Planning in the City and County of San Francisco under California Government Code Section 65088. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 091337 [Urging the Federal Communications Commission to Codify Strong Network Neutrality Principles]**
Sponsor: Alioto-Pier
 Resolution urging the Federal Communications Commission to codify strong network neutrality principles in order to ensure that the Internet will continue to foster innovation, increase competition, and spur economic growth as well as making the Internet faster and more affordable for all. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091338 [Issuance and Sale of Revenue Bonds – 2235 Third Street Apartments - Not to Exceed \$55,000,000]**
Sponsor: Maxwell
 Resolution approving the issuance and sale of tax-exempt bonds by the Association of Bay Area Governments (ABAG) Finance Authority For Nonprofit Corporations in a revised aggregate principal amount not to exceed \$55,000,000 for financing the acquisition, construction and rehabilitation of 2235 Third Street Apartments, subject to the policies for such approvals adopted by the Board of Supervisors in Ordinance No. 36-07. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091339 [Issuance and Sale of Revenue Bonds – 178 Townsend Street Housing Project - Not to Exceed \$33,000,000]**
Sponsor: Daly
 Resolution approving the issuance and sale of tax-exempt bonds by the Association of Bay Area Governments (ABAG) Finance Authority For Nonprofit Corporations in a revised aggregate principal amount not to exceed \$33,000,000 for financing the rehabilitation of a housing project located at 178 Townsend Street, subject to the policies for such approvals adopted by the Board of Supervisors in Ordinance No. 36-07. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091340 [Accept & Expend Grant – Screening, Brief Intervention, and Referral to Treatment - \$24,790]**
Sponsor: Chu
 Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$24,790 from the University of California San Francisco, to assist with a project entitled "Screening, Brief Intervention, and Referral to Treatment," for the period of September 30, 2008, through September 29, 2009. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 091342 [Opposing the Stupak-Ellsworth-Pitts Amendment to Restrict Reproductive Choice]**
Sponsor: Alioto-Pier
Resolution opposing the Stupak-Ellsworth-Pitts Amendment that limits reproductive choice, urging the United States Senate to pass healthcare reform that preserves access to reproductive health services, urging conferees to remove the amendment, and commending members of the California congressional delegation who opposed the amendment.
REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

- 091327 [Review of the Salary Scale and Growth in Number of Positions of Management Classifications in the City]**
Sponsor: Avalos
Hearing to review salary scale and growth in number of positions of management and administrative classifications in the City and to consider strategies to achieve budget savings. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091328 [Local and Disadvantaged Business Enterprise Participation in the San Francisco Public Utilities Commission and the San Francisco General Hospital Rebuild]**
Sponsor: Dufty
Hearing on the Local and Disadvantaged Business Enterprise and Local Workforce participation in the San Francisco Public Utilities Commission 525 Golden Gate Building and the San Francisco General Hospital rebuild. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 091329 [Annual Review and Approval of the FY 2010-2011 Board of Supervisors/Clerk of the Board Annual Budget Guidelines]**
Hearing to consider the annual review and approval of the FY 2010-2011 Board of Supervisors/Clerk of the Board Annual Budget Guidelines. (Clerk of the Board). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091332 [Public Hearing - Approving a Loan in an amount up to \$171,000,000 from the U.S. Department of Transportation to the Transbay Joint Powers Authority]**
Hearing of persons interested in or objecting to proposed Resolution approving a Loan in an amount up to \$171,000,000 from the U.S. Department of Transportation to the Transbay Joint Powers Authority and Making Certain Public Benefit Findings for the Transbay Transit Center Program Under California Government Code Section 6586.5. (Clerk of the Board).

Motions

- 091331 [Committee of the Whole – Approving a Loan in an amount up to \$171,000,000 from the U.S. Department of Transportation to the Transbay Joint Powers Authority]**
Sponsor: Daly
Motion scheduling the Board to sit as a Committee of the Whole on November 24, 2009, to hear the approval of a Loan in an amount up to \$171,000,000 from the U.S. Department of Transportation to the Transbay Joint Powers Authority and making certain public benefit findings for the Transbay Transit Center program under California Government Code Section 6586.5. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091341 [2010 Board of Supervisors Regular Meeting Schedule]**
Motion revising the 2010 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 19, February 16, May 25, July 6, September 7, October 12, and November 30; and by further canceling all Board and Committee meetings during the summer and winter breaks from August 18 through September 7, 2010, and December 15 through December 31, 2010. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

- 091284 [Mission Bay - Park P21 Improvements]**
Ordinance designating a portion of State Trust Parcel 5 East of future Terry A. Francoise Boulevard at future Mission Bay Boulevard for public open space and park purposes; naming the new park "Bayfront Park"; accepting and irrevocable offer for the acquisition facilities; designating said facilities to public open space and park purposes and accepting for maintenance responsibilities and liability purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,379 and authorizing official acts in connection with this Ordinance. (Public Works Department). RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 091289 [Settlement of Lawsuits - David Spears and Sabrina Wigfall - \$97,500]**
Ordinance authorizing settlement of the lawsuits filed by David Spears and Sabrina Wigfall against the City and County of San Francisco and Kyle Adams against the City and County of San Francisco for \$97,500; the lawsuits were filed on February 6, 2004, and August 1, 2008, in the United States District Court for the Northern District of California, Case Nos. 06-cv-04968 VRW and 08-vc-03696 PJH; entitled David Spears and Sabrina Wigfall v. City and County of San Francisco, et al. and Kyle Adams v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 091290 [Settlement of Lawsuit - Lisa Anne Haller - \$230,000]**
Ordinance authorizing settlement of the lawsuit filed by Lisa Anne Haller against the City and County of San Francisco for \$230,000; the lawsuit was filed on March 20, 2007, in San Francisco Superior Court, Case No. 461-498; entitled Lisa Anne Haller, et al. v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

- 091291 [Settlement of Lawsuit - City and County of San Francisco - \$1,260,000]**
Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against the Design Partnership and Del Campo and Maru, Joint Association of Architects, for (a) \$1,260,000 payable to the City and County of San Francisco and (b) mutual releases; the lawsuit was filed on March 20, 2009, in San Francisco Superior Court, Case No. 09-486423; entitled City and County of San Francisco v. The Design Partnership and Del Campo and Maru, Joint Association of Architects. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

- 091285 [Amendment to Agreement with Owens Information Systems to Extend the Term]**
Resolution authorizing the Department of Technology to enter into the Eighth Amendment of an agreement with Owens Information Systems to extend the term of the agreement to fifteen years. (Department of Technology). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091286 [Approval of Second Amendment to the Redevelopment Agency's Ground Lease within Mission Bay North and South Redevelopment Plans]**
Resolution approving the Second Amendment to the San Francisco Redevelopment Agency's Ground Lease to add certain additional real property within the Mission Bay South Redevelopment Plan Area to the leased premises and to clarify certain maintenance obligations. (Public Works Department). RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 091287 [Tenderloin Housing Clinic Contract Approval - \$82,286,121]**
Resolution approving the contract between the City and County of San Francisco and the Tenderloin Housing Clinic to provide master-leased housing for formerly homeless single adults to the Human Services Agency for the period of January 1, 2010, to June 30, 2015, in the amount of \$82,286,121. (Human Services Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091288 [Approval of CEQA Findings for SFPUC Harding Park Recycled Water Project]**
Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation and reporting program and a statement of overriding considerations related to the Harding Park Recycled Water Project, Water System Improvement Program funded Project No. CUW 30204; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission). RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Clerk to Act – November 17, 2009

Requests Granted

From: Supervisors Dufty & Campos
To: Attorney General, Eric Holder
Requesting/Inquiring: Requesting a letter to:

Mr. Eric Holder
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

Supervisors Bevan Dufty and David Campos inquire about the leadership by the U.S. Department of justice and Federal Bureau of Investigations to ensure that the terrible murder of Jorge Steven Lopez Mercado be thoroughly investigated as a possible Hate Crime.

Enactment of the Matthew Shepard Hate Crimes Act provides important tools to ensure that justice occurs in cases involving hate directed violence and murder because of a victim's sexual orientation or gender identity.

It is disturbing that there are reports that the investigating officer made statements that Mr. Lopez Mercado deserved being murdered because of the "type of lifestyle" he was leading.

Supervisors Dufty and Campos request that the Justice Department advise the San Francisco Board of Supervisors of steps to investigate applicability of new federal civil rights violations covered by hate crime protections.

Thank you for addressing these concerns.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Utility Boxes

Northwest corner McAllister & Webster
Southeast corner Geary & Webster

Garbage Cans

Northeast corner Buchanan & Haight
Southeast corner Central & Haight

Recreation & Park
Entrance wall in Buena Vista West

Mailbox
Southeast corner Bush & Buchanan

Emergency Box
Northeast corner Hayes & Broderick

Potholes & Median Walls
On Fillmore near Hayes, west side of Street
Median wall on Geary & Webster

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

1301 Haight
799 Haight
1035 Haight
501 Haight
55 Laguna
485 Scott
1519 Haight
604 Haight
587 Haight
533 Haight
557 Haight
122 Webster
429 Webster
901 Haight
208 Scott
160 Pierce
147 Buchanan

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Southeast corner of Fillmore & Post
Southwest corner of Divisadero & Sutter
9th Avenue & Judah (near bus stops)
7th Avenue & Irving (near bus stops)

Southeast corner of Fillmore & Haight

San Francisco Chronicle

Southeast corner of Haight & Fillmore

Irving & 9th Avenue

Irving & 7th Avenue

Southwest corner of Haight & Clayton

Southeast corner of Haight & Masonic

Examiner

Northwest corner of Fillmore & Hayes

Southeast corner of Haight & Fillmore

SF Daily

Northwest corner of Hayes & Gough

City Star

Southeast corner of Fillmore & Haight

SF Weekly

Southeast corner of Masonic & Haight and Southeast corner of Haight & Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Metal Poles

Southeast corner 10th Avenue & Irving

Southwest corner Laguna & Grove

In front of 367 Haight

Wood Pole

In front of 20 Fillmore

Bus Shelters

Northeast corner Sutter & Fulton

Northwest corner Divisadero & Haight

Southeast corner Buena Vista East & Haight

Northeast corner Buena Vista East & Haight

Southwest corner Hayes & Fillmore

Southeast corner Pierce & Haight

Northeast corner McAllister & Laguna

All four bus shelters on Haight & Fillmore (graffiti & grime)

In Memoriams

James Jefferson – Entire Board

John Kovacs – Supervisor Mirkarimi

Louis K. Cherin – Supervisor Dufty

Zoe Ann Sheehy – Supervisor Dufty

Effie Lee Morris Jones – Supervisor Maxwell

Joseph Thomas Elsbernd – Entire Board

James Rogers – Supervisor Elsbernd

Andrea Lewis – Supervisors Mar, Avalos, and Mirkarimi

Board of Supervisors



City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tel. No. 554-5184
TDD No. 554-5227

Legislation Introduced

November 24, 2009

LEGISLATION INTRODUCED AT ROLL CALL

GOVERNMENT
DOCUMENTS DEPT

Introduced by Supervisors or Mayor

DEC - 1 2009

Ordinances

SAN FRANCISCO
PUBLIC LIBRARY

- 091368 [Accept and Expend Grant - American Recovery and Reinvestment Act of 2009 and Amendment to the Annual Salary Ordinance, FY 2009-2010 - \$7,739,300]**
Sponsor: Mayor
Ordinance authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of \$7,739,300 from the U.S. Department of Energy through the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5) under the Energy Independence and Security Act of 2007 (Pub. L. 110-140; 42 U.S.C. 17151 et seq.) for the Municipal Building Energy Efficiency Retrofit, Community Resilience, and Heating Systems Programs, and amending Ordinance Number 183-09 to reflect the addition of one and seven-tenths (1.7) grant-funded positions at the Department of the Environment. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091370 [Determining Surviving Spouse Status for Retirement Purposes]**
Sponsor: Elsbernd
Ordinance amending Chapter 16 of the Administrative Code by adding Administrative Code Section 16.80-8 to determine qualifications for "surviving spouse" status under the City's retirement plans. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 091374 [Accept and Expend Grant - FY 09 Urban Area Security Initiative and Amendment to the Annual Salary Ordinance, FY 2009-2010 - \$32,510,600]**
Sponsor: Elsbernd
Ordinance authorizing the Department of Emergency Management, on behalf of the City and County of San Francisco, as the primary grantee for the combined Bay Area Urban Area and as the fiscal agent for the UASI Approval Authority, to retroactively accept and expend an Urban Areas Security Initiative ("UASI") grant in the amount of \$32,510,600 from the United States Department of Homeland Security, through the California Emergency Management Agency, amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) to reflect: the addition of one (1) grant-funded position (.50 FTE) in Class 5277 Planner I and one (1) grant-funded position (.50 FTE) in Class 5293 Planner IV, and the deletion of one (1) grant-funded position (.75 FTE) in Class 1426 Senior Clerk Typist, all in the Department of Emergency Management. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 091376 [Accept and Expend Grant - FY 09 Regional Catastrophic Preparedness Program and Amendment to the Annual Salary Ordinance, FY 2009-2010 - \$4,822,667]**
Sponsor: Elsbernd
Ordinance authorizing the Department of Emergency Management, on behalf of the City and County of San Francisco, serving as the primary grantee for the RCPGP Bay Area Site and as fiscal agent for the UASI Approval Authority, to retroactively accept and expend a Regional Catastrophic Preparedness Grant Program (RCPGP) grant in the amount of \$4,822,667 from the United States Department of Homeland Security, through the California Emergency Management Agency, and to provide \$167,188 in matching funds; amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) to reflect the addition of two (2) grant-funded positions (.50 FTE total) in Class 5291 Planner III in the Department of Emergency Management. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

- 091352 [Extending the Term of Service for the Power Plant Task Force]**
Sponsor: Maxwell
Resolution to extend the expiration date of the Power Plant Task Force from December 31, 2009, to December 31, 2010. RECEIVED AND ASSIGNED to Rules Committee.
- 091355 [Accept and Expend Grant - eLearning Modules to Support HIV Research - \$35,125]**
Sponsor: Duffy
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$35,125 from the Fred Hutchinson Cancer Research Center to assist with a project entitled "eLearning Modules to Support HIV Research," for the period of June 1, 2009, through May 31, 2010. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091356 [Authorizing the Director of Public Works or Designee to Request a Cooperative Work Agreement from the California Department of Finance]**
Sponsor: Mayor
Resolution authorizing the Director of Public Works or his or her designee to request a Cooperative Work Agreement from the California Department of Finance to extend the expiration date for a Federal transportation grant expiring on June 30, 2010. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091357 [Accept and Expend Grant - HPV Epidemiology and Responses To Screening - \$12,760]**
Sponsor: Duffy
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$12,760 from the University of California San Francisco (UCSF), to assist with a project entitled "HPV Epidemiology and Response to Screening," for the period of August 11, 2009, through July 31, 2010. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 091358 [Urging the San Francisco State Lobbyists to Facilitate the Implementation of AB 1383]**
Sponsor: Daly
Resolution directing City of San Francisco Lobbyists to facilitate the implementation of AB 1383. Establishes a general framework of the quality assurance fee and increased Medi-Cal payments to hospitals. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091360 [Redevelopment Agency Lease of Land at 249 Eddy Street, and 161-165 Turk Street to Turk & Eddy Associates, L.P.]**
Sponsor: Daly
Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at 249 Eddy Street, and 161-165 Turk Street, in San Francisco, California to Turk & Eddy Associates, L.P., a California limited partnership, an affiliate of Tenderloin Neighborhood Development Corporation, a California nonprofit public benefit corporation for 55 years with an option to extend for 44 years for the purpose of preserving housing for very low-income seniors and disabled persons. RECEIVED AND ASSIGNED to Board of Supervisors.
- 091362 [Commemorate the 40th Anniversary of the Occupation of Alcatraz Island]**
Sponsor: Mar
Resolution commemorating the 40th Anniversary of the Occupation of Alcatraz Island from November 20, 1969, to June 11, 1971. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091363 [California Master Plan for Education]**
Sponsor: Mirkarimi
Resolution Calling on the State, the UC Regents, the CSU Board of Trustees, and the Board of Governors of the California Community Colleges to recommit to the California Master Plan for Higher Education. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091364 [Urging the United States to Enter into a Strong International Treaty to Address Climate Change]**
Sponsor: Mirkarimi
Resolution urging the President of the United States, at the UN Climate Change Conference scheduled for December 2009 in Copenhagen, to negotiate and sign, the Senate to ratify and the Congress of the United States to support legislatively a strong treaty to address climate change. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091365 [Supporting the Recommendations Contained in the Report of the Peak Oil Preparedness Task Force]**
Sponsors: Mirkarimi; Mar
Resolution in support of the measures and actions to mitigate the effects of declining fossil fuel supplies recommended in the report of the San Francisco Peak Oil Preparedness Task Force. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 091366 [Approval of a 30-Day Extension for Planning Commission Review of the Telegraph Hill-North Beach Residential Special Use District]**
Sponsor: Chiu
Resolution extending, by 30-days, the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would require a Conditional Use Authorization for the installation of a garage opening in existing buildings, reduce the parking requirements in certain Northeast Neighborhoods, and creating the Telegraph Hill-North Beach Residential Special Use District, and making findings of consistency with the priority policies of the Planning Code Section 101.1 and environmental findings. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091369 [Revenue Contract with PG&E Energy Conservation Programs]**
Sponsor: Mayor
Resolution authorizing the Department of the Environment under Charter Section 9.118 to enter into a contract for up to \$11,540,000 with Pacific Gas and Electric Company ("PG&E"), to implement an Energy Use and Demand Reduction through Energy Efficiency Program in the City and County of San Francisco. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091373 [Accept and Expend Grant - SF General Hospital Shuttle Bus Project - \$100,245]**
Sponsor: Maxwell
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend a grant totaling \$100,245 from the Bay Area Air Quality Management District to implement a shuttle service connecting San Francisco General Hospital and Mission Bay campuses with major transit hubs in San Francisco; for the period of January 15, 2010 through January 15, 2012. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 091375 [Accept and Expend Grant - Southeast Health Opportunities - \$450,000]**
Sponsor: Maxwell
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant from the Substance Abuse and Mental Health Services Administration (SAMHSA) in the amount of \$450,000 to assist with a project entitled "Southeast Health Opportunities (SHOP);" for the period of September 30, 2009, through September 29, 2010. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 091378 [Declaration of Election Results of November 3, 2009, Municipal Election]**
Sponsor: Chiu
Resolution declaring the results of the November 3, 2009, Municipal Election. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

091361 [Approving the Redevelopment Agency's Lease of Land at 249 Eddy Street, and 161-165 Turk Street to Turk & Eddy Associates, L.P.]

Sponsor: Daly

Hearing of persons interested in or objecting to proposed Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at 249 Eddy Street, and 161-165 Turk Street, in San Francisco, California to Turk & Eddy Associates, L.P., a California limited partnership, an affiliate of Tenderloin Neighborhood Development Corporation, a California nonprofit public benefit corporation for 55 years with an option to extend for 44 years for the purpose of preserving housing for very low-income seniors and disabled persons. RECEIVED AND ASSIGNED to Board of Supervisors.

091372 [Altering allowable Shading of Parks by New Development]

Sponsor: Chiu

Hearing to discuss proposed changes to Proposition K altering allowable shading of parks by new development. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

091377 [Budget and Legislative Analyst Annual Work Plan and Service Hours Allocation]

Hearing to determine the Budget and Legislative Analyst Annual Work Plan and Service Area Hours Allocation, to be provided by the Budget & Legislative Analyst: Harvey M. Rose Associates, LLC, Debra A. Newman, Louie & Wong, LLP, A Joint Venture, once the Agreement has been approved. (Clerk of the Board). RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motions

091359 [Committee of the Whole – December 8, 2009 - 3:00 p.m. - to Hold a Public Hearing on the Approval of a Redevelopment Ground Lease of Land at 249 Eddy Street, and 161-165 Turk Street]

Sponsor: Daly

Motion scheduling the Board to sit as a Committee of the Whole on December 8, 2009, to hold a public hearing on the approval of Redevelopment Agency of the City and County of San Francisco's lease of land at 249 Eddy Street, and 161-165 Turk Street, in San Francisco, California to Turk & Eddy Associates, L.P., a California limited partnership, an affiliate of Tenderloin Neighborhood Development Corporation, a California nonprofit public benefit corporation for 55 years with an option to extend for 44 years for the purpose of preserving housing for very low-income seniors and disabled persons. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

091367 [Professional Services Agreement for Budget and Legislative Analyst Service with Harvey M. Rose Associates, LLC, Debra A. Newman, Louie & Wong, LLP, a Joint Venture]

Motion authorizing the Clerk of the Board of Supervisors to enter into a Professional Services Agreement for Budget and Legislative Analyst Service with Harvey M. Rose Associates, LLC, Debra A. Newman, Louie & Wong, LLP, a Joint Venture and approving said agreement, pursuant to Charter Section 2.117. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

091324 [Airport Concession Lease]

Resolution approving the Pay Phone Lease between Pelican Communications, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

091326 [CEQA Findings for San Francisco Public Utilities Commission New Irvington Tunnel Project in Alameda County and Fremont]

Resolution adopting findings under the California Environmental Quality Act ("CEQA"), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the New Irvington Tunnel Project, CUW 35901; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – November 24, 2009

Requests Granted

From: Supervisor Elsbernd
To: Controller, Ben Rosenfield
Requesting/Inquiring: Supervisor Sean R. Elsbernd inquires as to the costs incurred by the City and County of San Francisco during the Monday, November 23, 2009 SEIU 1021 protest that blocked part of Market Street and led to the arrest of a number of protesters for obstructing traffic. Supervisor Elsbernd specifically requests that the Controller report on the overtime costs incurred by the San Francisco Police Department during the incident.

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: Request letter to City Attorney re: Changes to the Shelter Grievance Policy. See Below:

Re: Changes to the Shelter Grievance Policy

Supervisor Daly inquires changes to the shelter grievance policy. A change to the San Francisco Shelter Grievance Policy occurred approx. July 1, 2009 Appendix 6 "Single Adult Shelter Reservation Extensions" and as a result *7 day reservation and 14 day extensions that are cancelled are not eligible for the Arbitration Process and or the third check-in /Curfew violation will result in an immediate denial of service (DOS).*

Through BOS hearings, HSA departmental testimony, advocate testimony and constituent complaints we are finding that a significant portion of beds are "dropped" or canceled daily due to computer and or human error (approximately 1,000 to 1,800 dropped beds per year). Given that Appendix 6 which has been described to advocates as a "work in progress" is also being enforced since July 2009 thus unilaterally denying clients ability to a grievance procedure.

Did HSA follow proper procedure in amending the Shelter Grievance Policy through Appendix 6 denying a clients right to a grievance procedure due to computer and or human error?

Does HSA's unilaterally change to the San Francisco Shelter Grievance Policy through Appendix 6 denying a client's right to an arbitration process due to computer and or human error present a reasonable or fair change to the policy?

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore & Post
Southwest corner of Divisadero & Sutter
9th Avenue & Judah (near bus stops)
7th Avenue & Irving (near bus stops)
Northwest corner of Hayes & Fillmore
Southeast corner of Fillmore & Haight

San Francisco Chronicle

Northwest corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore
Irving & 9th Avenue
Irving & 7th Avenue
Southwest corner of Haight & Clayton
Southeast corner of Haight & Masonic

Examiner

Northwest corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore

SF Daily

Northwest corner of Hayes & Gough

City Star

Northwest corner of Hayes & Gough
Southeast corner of Fillmore & Haight

SF Weekly

Southeast corner of Masonic & Haight
Southeast corner of Haight & Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property at the following locations:

Utility Boxes

Northeast corner of Fell & Laguna
Northeast corner Oak & Laguna
Northeast corner Waller & Scott
Northwest Steiner & Oak
Southeast corner Webster & Fell

Bus Shelter

Southwest corner Masonic & Haight
Fillmore & Haight (all 4 bus stops, graffiti and grime)

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Wood Pole

Southeast corner Haight & Fillmore
In front of 406 Buchanan
Northeast corner Germania & Fell

Metal Pole

Northeast Clayton & Grove
Southeast Ashbury & Haight
In front of 247 Fillmore
Southwest Oak & Laguna

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

899 Cole
730 Stanyan
497 Fulton
250 Scott
485 Scott
400 Page
398 Fillmore
702 Haight
542 Haight
399 Haight, Webster Street side
901 Haight
457 Haight
295 Buchanan
355 Laguna

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans

Southwest corner Cole & Haight
Northwest corner Fulton & Gough

Mailboxes

On Geary between Fillmore & Steiner, south side of street
Northeast corner Fillmore & Waller
Northeast corner Hayes & Grove
Southeast corner Masonic & Fulton
Southeast corner Buena Vista East & Haight
Southeast corner Buena Vista West & Haight

In Memoriams

Edward E. Murphy – Supervisor Carmen Chu

Board of Supervisors



City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tel. No. 554-5184
TDD No. 554-5227

Legislation Introduced

December 8, 2009

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by Supervisors or Mayor

Ordinances

091402 [Medical Cannabis Task Force]

Sponsors: Campos; Mirkarimi, Avalos and Daly

Ordinance amending the San Francisco Administrative Code by adding Sections 5.2-1 through 5.2-6, to establish a Medical Cannabis Task Force to advise the Board of Supervisors on medical cannabis issues. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

091403 [Inclusion of Textiles in Sweatfree Contracting Ordinance]

Sponsor: Campos

Ordinance adding Section 12U.5.1 of the Administrative Code to provide that contracts for textiles are within the coverage of the Sweatfree Contracting Ordinance. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

091404 [Procedures to Attain Local Business Enterprise Subcontracting Goals for Design-Build and Integrated Project Delivery Contracts]

Sponsor: Chiu

Ordinance amending Administrative Code Chapter 14B, Local Business Enterprise and Non-Discrimination In Contracting Ordinance, to add a new Section 14B.19 establishing uniform procedures to attain project LBE goals for design-build and integrated project delivery contracts. ASSIGNED to Land Use and Economic Development Committee.

GOVERNMENT
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DEC 10 2009

- 091405 [Local Business Enterprise and Non-Discrimination in Contracting Ordinance]**
Sponsors: Chiu; Chu, Maxwell and Mayor
 Ordinance amending the San Francisco Administrative Code by amending Sections 14B.2, 14B.3, 14B.7, 14B.8, 14B.13 to (1) each fiscal year, require departments to set aside not less than 50% of public works/construction contracts worth \$400,000 or less and not less than 50% of other contracts worth \$100,000 or less for the Micro-Local Business Enterprise Set Aside Program, (2) permit departments to designate Job Order Contracts, without limitation as to dollar value, as set aside for the Micro-Local Business Enterprise Set Aside Program in order to satisfy the department's 50% requirement, (3) require departments to report quarterly during the year 2010 and thereafter yearly to the Board of Supervisors on the contracts set aside for the Micro-Local Business Enterprise Set Aside Program, and to cooperate with HRC's requests for information to fulfill its reporting requirements, and (4) require Micro - LBEs that subcontract any portion of a set-aside contract to perform at least 25% of the contract work, (5) create a SBA-LBE category, in addition to the Small and Micro-LBE categories, that gives contractors with income set with reference to Small Business Administration limits a bid preference of 2% on contracts between \$5,000,000 and \$20,000,000, and (6) contractors who achieve total LBE participation in excess of 35% of their established LBE subcontracting and subconsulting goals are to be excepted from satisfying good faith outreach requirements. ASSIGNED to Land Use and Economic Development Committee.
- 091406 [Street Encroachment at 1 Webster Street]**
Sponsor: Dufty
 Ordinance granting revocable permission to Cross Cultural Family Center, Inc. to occupy a portion of the public right-of-way to construct and maintain a fenced outdoor play space with a trellised entry, a seating area and stroller parking on the west side of Webster Street between Duboce Avenue and Hermann Street, for a new child development center at 1 Webster Street (Block No. 0874, Lot No. 014); waiving the annual right-of-way occupancy assessment fee; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 091407 [Recreation and Park Department - Naming Parcel 4 as Sutro Dunes]**
Sponsors: Mar; Maxwell
 Ordinance amending the San Francisco Park Code by renaming Article 1 as "Title and General Provisions" and adding Section 1.05 to name the parcel located at the junction of the Great Highway and Balboa Street "Sutro Dunes". ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 091409 [Accept and Expend Grant - Sidney E. Frank Foundation and Amendment to the Annual Salary Ordinance, FY 2009-2010 - \$250,000]**
Sponsor: Mayor
 Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$250,000 from the Sidney E. Frank Foundation to initiate the San Francisco Zero Energy Homes (SFZEH) Program which will create the tools necessary for San Franciscans to radically reduce the amount of energy they use and amending Ordinance Number 183-09 to reflect the addition of one (1) grant funded position at the Department of the Environment. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 091420 [Accept and Expend Grant - Living Cities Initiative and Amendment to the Annual Salary Ordinance, FY 2009-2010 - \$175,000]**
Sponsor: Mayor
 Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$175,000 from the Living Cities Initiative to support the City's Zero Energy Home Program by accelerating the use of home performance testing of existing buildings throughout the City and thus drive the market, which will create a range of employment and career growth options and amend Ordinance Number 183-09 to reflect the addition of one (1) grant funded position at the Department of the Environment. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091421 [Appropriating \$847,222 of Various Fee Revenues for Salaries, Fringe Benefits, and Services of Other Departments in the Department of Building Inspection for FY 2009-2010]**
Sponsor: Mayor
 Ordinance appropriating \$847,222 of Intergovernmental Memorandum of Understanding and Vacant Building Fee revenues for salaries and fringe benefits for limited duration positions to fund fee collection costs, and to fund a projected work order shortfall with the City Attorney, for the Department of Building Inspection for FY 2009-2010. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091422 [Public Employment - Department of Building Inspection]**
Sponsor: Mayor
 Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance FY 2009-2010) to reflect the addition of eleven limited duration positions (5.5 FTE) in the Department of Building Inspection. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091163 [Economic Stimulus Measures for Capital Project Acceleration]**
Sponsors: Chu; Chiu, Maxwell and Mayor
 Ordinance amending Administrative Code Chapter 6, Public Works Contracting Policies and Procedures, Section 6.1, to add a definition for a department head and designee and to increase the threshold amount for sealed competitively bid construction contracts from \$100,000 to \$400,000, with a future increase by the Controller in 2015; amending Section 6.20, to update and conform references to Administrative Code Chapter 14B; amending Section 6.21, to update and conform references to Administrative Code Chapter 14B; amending Section 6.22(A), to clarify and conform to state law the minimum contract amount requiring performance and payment bonds to \$25,000; amending Section 6.22(J), to allow for early release of retention to subcontractors certified by the Human Rights Commission as Local Business Enterprises or subcontractors on multi-year construction projects; amending Section 6.40, to increase the minimum competitive amount for the procurement of professional services for public work projects from \$25,000 to \$100,000, with a future increase in 2015 by the Controller; amending Section 6.60 to update and conform references to the Municipal Transportation Agency; amending Section 6.62, Job Order Contracts, to amend the Local Business Enterprise goal enforcement procedure and allow for micro-LBE set-asides, to increase the maximum contract amount from \$3,000,000 to \$5,000,000 and the maximum contract time to five years, to increase the maximum service order amount from \$200,000 or \$400,000 (depending on the program) to \$400,000 for all purposes, and adding new subcontractor listing and subcontractor substitution requirements. SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

- 091401 [Accept and Expend Grants - California Secretary of State VOTE Grant Program - \$249,998.41]**
Sponsor: Alioto-Pier
 Resolution authorizing the San Francisco Department of Elections to accept and expend grant funds in an amount not to exceed \$249,998.41 for improving accessibility to and participation in the election process for individuals with disabilities in accordance with the California Secretary of State's VOTE Grant Program. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 091408 [Approving Settlement of Unlitigated Claim Against the City by Comcast]**
Sponsor: Mirkarimi
 Resolution approving settlement of an unlitigated claim made by Comcast Cable Communications, LLC against the City and County of San Francisco. RECEIVED AND ASSIGNED to Rules Committee.
- 091410 [Accept and Expend Grant – High Risk Program - \$37,787]**
Sponsor: Chu
 Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant from the California Department of Food and Agriculture (CDFA) in the amount of \$37,787 to prevent infestation of pests from incoming high-risk shipments of plant material from Hawaii, Florida and other southern states; for the period of July 1, 2009, through June 30, 2010. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091411 [Seeking Reimbursement from the State of California for Funds Expended by the County]**
Sponsors: Mar, Campos and Mirkarimi
 Resolution urging state and local officials to obtain reimbursement for funds expended by the City and County of San Francisco to provide legal representation in homicide cases instituted by the Attorney General. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091412 [Accept and Expend Grant - San Francisco's Clean Cities Coalition Program - \$60,000]**
Sponsor: Mar
 Resolution authorizing the Department of the Environment (SF Environment) to accept and expend funds from the United States Department of Energy's Office of Energy Efficiency and Renewable Energy Vehicle Technologies Program (being passed through Research and Development Solutions, LLC) in the amount of \$60,000 to support San Francisco's Clean Cities Coalition Program and its work related to reducing petroleum use and improving air quality in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091413 [Support for the First and Mission Site as the Preferred, Fully Environmentally Cleared Site for the California High Speed Rail Station]**
Sponsor: Daly
 Resolution affirming the Board of Supervisors support for the First and Mission site as the preferred, fully environmentally cleared and under construction location for the California High Speed Rail Northern Terminus and encouraging the California High Speed Rail Authority to do likewise. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 091414 [Accept and Expend Grant – Probation Response Unit Pilot Project – \$100,000]**
Sponsor: Maxwell
 Resolution authorizing the Juvenile Probation Department (JPD) to retroactively accept and expend a grant in the amount of \$100,000 from the Federal Formula Grants Program for the Disproportionate Minority Contact (DMC) Support Project, administered by the Corrections Standards Authority (CSA), for calendar year 2010, to be used for design and implementation of a Probation Response Unit (PRU) pilot project. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091415 [Urging Continued Funding for ARRA SBA 7 (a) and 504 Loan Provisions]**
Sponsor: Chiu
 Resolution Urging Continued Funding for ARRA SBA 7 (a) and 504 Loan Provisions as Part of the American Recovery and Reinvestment Act of 2009. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091416 [Accept and Expend Grant - Implementing Ten Sobriety Checkpoints - \$91,608]**
Sponsor: Elsbernd
 Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$91,608 from the Federal Department of Transportation through Office of Traffic Safety for the purpose of implementing ten Sobriety Checkpoints in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091417 [Urging the State Legislature to Amend the Costa Hawkins Act to Exempt Local Inclusionary Housing Ordinances]**
Sponsor: Chiu
 Resolution urging the California Legislature to amend the Costa Hawkins Act to exempt local inclusionary housing ordinances. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091423 [Accept and Expend Grant - Public Health Emergency Response - \$2,151,772]**
Sponsor: Mayor
 Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$2,151,772 from the California Department of Public Health (CDPH), to assist with a project entitled "Public Health Emergency Response," for the period of July 31, 2009, through July 30, 2010. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 091425 [Commemorating the Bicentennial Year of the Latino Press in the United States]**
Sponsor: Campos
 Resolution commemorating the Bicentennial Year of the Latino Press in the United States, and acknowledging the rich contributions of Latinos in the history of American journalism. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 091365 [Supporting the Recommendations Contained in the Report of the Peak Oil Preparedness Task Force]**
Sponsors: Mirkarimi; Mar
 Resolution in support of the measures and actions to mitigate the effects of declining fossil fuel supplies recommended in the report of the San Francisco Peak Oil Preparedness Task Force. REFERRED to City Operations and Neighborhood Services Committee.

Requests for Hearing

- 091394 [Mayor's Proposed Mid-Year Budget Reductions]**
Sponsor: Avalos
Hearing on the Mayor's proposed mid-year budget reductions. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091395 [City IT Projects Status]**
Sponsors: Chu; Avalos, Mirkarimi, Maxwell and Chiu
Hearing request to receive update from the Department of Technology on the status of large IT projects, including: JUSTIS, eMerge, and systems related to permits and purchasing and to also include explanations for any project delays or anticipated delays. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091396 [San Francisco Municipal Transportation Authority Proposed Layoffs and the Impacts on Public Health and Safety Concerns]**
Sponsor: Daly
Hearing request to address San Francisco Municipal Transportation Authority proposed layoffs and the impacts on public health and safety concerns. RECEIVED AND ASSIGNED to Public Safety Committee.
- 091397 [Academy of Art University Housing Practices]**
Sponsor: Mar
Hearing on the housing practices of the Academy of Art University. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 091398 [San Francisco Public Utilities Commission - Feasibility Analysis of Local Cogeneration Projects and Update on the Electricity Resource Plan]**
Sponsor: Maxwell
Hearing on the San Francisco Public Utilities Commission's analysis of the feasibility and environmental benefits of possible local cogeneration projects, and an update on the Electricity Resource Plan including timing and the role of cogeneration in the report. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 091399 [Crime Laboratory Backlog]**
Sponsor: Mirkarimi
Hearing to review and receive an update on and how to address the current case backlog at the San Francisco Crime laboratory. RECEIVED AND ASSIGNED to Public Safety Committee.
- 091419 [Committee of the Whole - Opposing the Stupak-Ellsworth-Pitts Amendment to Restrict Reproductive Choice]**
Sponsors: Alioto-Pier, Chu and Maxwell
Hearing of persons interested in or objecting to proposed resolution on file with the Clerk of the Board of Supervisors in File No. 091342 opposing the Stupak-Ellsworth-Pitts Amendment that limits reproductive choice, urging the United States Senate to pass healthcare reform that preserves access to reproductive health services, urging conferees to remove the amendment, and commending members of the California congressional delegation who opposed the amendment. ASSIGNED to Board of Supervisors.

Motion

- 091418 [Committee of the Whole, December 15, 2009, at 3:00 P.M., Opposing
Stupak-Ellsworth-Pitts]
Sponsors: Alioto-Pier, Chu and Maxwell
Motion scheduling a Committee of the Whole at 3:00 P.M. on Tuesday, December 15, 2009, to
consider opposing the Stupak-Ellsworth-Pitts Amendment to restrict reproductive choice.
REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE
NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

- 091381 [Settlement of Lawsuit - Marco Maestrini - \$40,000]
Ordinance authorizing settlement of the lawsuit filed by Marco Maestrini against the City and
County of San Francisco for \$40,000; the lawsuit was filed on June 6, 2007, in the United States
District Court for the Northern District of California, Case No. C07-02941 PJH; entitled Marco
Maestrini, et al., v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND
ASSIGNED to Rules Committee.
- 091382 [Settlement of Lawsuit - Ben H. Lyon - \$47,500]
Ordinance authorizing settlement of the lawsuit filed by Ben H. Lyon against the City and County
of San Francisco for \$47,500; the lawsuit was filed on May 9, 2007, in San Francisco Superior
Court, Case No. 463-228; entitled Ben H. Lyon, et al. v. City and County of San Francisco, et al.
(City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 091383 [Settlement of Lawsuit - Glynis Senegal and Joseph Senegal - \$158,000]
Ordinance authorizing settlement of the lawsuit filed by Glynis Senegal and Joseph Senegal
against the City and County of San Francisco for \$158,000; the lawsuit was filed on May 5,
2006, in San Francisco Superior Court, Case No. 451-969; entitled Glynis Senegal and Joseph
Senegal v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND
ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

- 091384 [Settlement of Unlitigated Claim - David Cleary - \$225,000]
Resolution approving the settlement of the unlitigated claim filed by David Cleary against the
City and County of San Francisco for \$225,000; claim was filed on May 22, 2009. (City
Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 091385 [Approving the Extension of the Existing Three-Year Plan for State-Funded
Child Abuse Prevention Programs]
Sponsor: Mirkarimi
Resolution approving the extension of City and County of San Francisco's Three-Year County
Plan for the Child Abuse Prevention, Intervention, and Treatment; Community Based Child
Abuse Prevention; and Promoting Safe and Stable Families programs. (Human Services
Department). RECEIVED AND ASSIGNED to Public Safety Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Controller

To: City Attorney

Requesting/Inquiring: Requesting that the Controller and City Attorney explore the extension of gross receipts taxes to the Presidio and other federal enclaves within San Francisco as part of a shift to a gross receipts tax business tax structure in the City, including an estimate of revenues that would be generated for the City as a result of such an extension.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Can

Northeast corner Scott & Grove

Northwest corner Eddy & Scott

Mailboxes

On Geary between Fillmore & Steiner, south side of street

Northeast corner Fillmore & Waller

Northeast corner Hayes & Grove

Southeast corner Masonic & Fulton

Southeast corner Buena Vista East & Haight

Southeast corner Buena Vista West & Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

1967 Oak

587 Haight

501 Haight

533 Haight

156 Stenier (on the Waller Street side)

600 Buchanan

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles

Northwest corner Post & Pierce
Southeast corner Golden Gate & Scott
In front of 367 Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes and sidewalk at the following locations:
Intersection Webster & Grove, North side of street.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner Fillmore & Post
Southwest corner of Divisadero & Sutter
9th Avenue & Judah (near bus stops)
7th Avenue & Irving (near bus stops)
Northwest corner of Hayes & Fillmore
Southeast corner of Fillmore & Haight

San Francisco Chronicle

Northwest corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore
Irving & 9th Avenue
Irving & 7th Avenue
Southwest corner of Haight & Clayton
Southeast corner of Haight & Masonic

Examiner

Northwest corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore

SF Daily

Northwest corner of Hayes & Gough

City Star

Northwest corner of Hayes & Gough
Southeast corner of Fillmore & Haight

SF Weekly

Southeast corner of Masonic & Haight
Southeast corner of Haight & Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property at the following locations:

Utility Boxes

Northeast corner Post & Broderick
Northeast corner Ivy & Buchanan
Northwest corner Fillmore & Hermann
Northeast corner Linden & Buchanan
Southeast corner Golden Gate & Scott

Bus Shelter

Southwest corner Hayes & Fillmore
Southwest corner Buchanan & Haight
Fillmore & Haight (all 4 bus stops, graffiti & grime)

Emergency Boxes

Northeast corner Golden Gate & Scott
Northeast corner O'Farrell & Scott

In Memoriams

Patricia "Patsy" Doyle – Supervisor Elsbernd
Shirley Rubin – Supervisor Dufty
Nancy Cori – Supervisors Dufty and Campos
Ellen O'Leary – Supervisors Dufty and Campos
Father Joe Healy – Supervisor Dufty

Board of Supervisors



City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tel. No. 554-5184
TDD No. 554-5227

Legislation Introduced

December 15, 2009

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by Supervisors or Mayor

GOVERNMENT
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Ordinances

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091435 [Child Care Planning and Advisory Council Membership]

Sponsor: Chiu

Ordinance amending San Francisco Administrative Code by amending section 5.200, to: (1) reduce the number of members of the Child Care Planning and Advisory Council ("Council") from 30 to 25, and provide for the appointment of 12 members by the Board of Supervisors, 12 members by the Board of Education and the joint appointment of one member by the Board of Supervisors and Board of Education; (2) provide for the establishment of a Council Executive Committee; and (3) amend the attendance, qualification, membership term, and compensation provisions for Council members. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

091436 [Accept and Expend U.S. Dept. of Justice/Office of Violence Against Women Grant and Amend Annual Salary Ordinance for FY 2009-2010 - \$698,970]

Sponsor: Chiu

Ordinance authorizing the San Francisco District Attorney's Office to retroactively accept and expend a grant in the amount of \$698,970 from the U.S. Department of Justice/Office of Violence Against Women - Grants to Encourage Arrest Policies and Enforcement of Protection Orders for the purpose of improving the criminal justice systems' response to limited English proficiency victims of domestic violence, and amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) to reflect the addition of one (1) grant-funded position (.50 FTE) in Class 8129 Victim Witness Investigator at District Attorney's Office. RECEIVED AND ASSIGNED to Public Safety Committee.

091438 [De-Appropriating Police and Fire Department Salaries and Fringe Benefits for FY 2009-2010 - \$20,705,195]

Sponsor: Daly

Ordinance de-appropriating \$20,705,195, including \$13,870,901 of salaries and fringe benefits representing 102.64 FTEs, or 366.98 annualized positions, of sworn officers in the Police Department, and \$6,834,294 of salaries and fringe benefits representing 49.70 FTEs, or 177.69 annualized positions, of firefighters in the Fire Department, effective March 20, 2009, for FY 2009-2010. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 091441 [Recreation and Park Department—Animal Protections; Increasing Penalties for Park Code Violations]**
Sponsor: Elsbernd
 Ordinance amending the San Francisco Park Code by amending Section 4.01 to prohibit entrance into animal habitats or enclosures at the San Francisco Zoo and the bison paddock; amending Section 5.07 to prohibit feeding non-domesticated animals in parks; amending Section 5.08 to prohibit taunting or endangering animals at the Zoo or in the bison paddock; and amending Section 10.01 to increase the penalties for violation of the Park Code up to \$500 maximum for an infraction and up to \$1000 for a misdemeanor. ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee.
- 091443 [Prohibiting Smoking in Enclosed Areas, Certain Unenclosed Areas, and Sports Stadiums]**
Sponsor: Mar
 Ordinance amending Articles 19F and 19G of the San Francisco Health Code by amending Sections 1009.20, 1009.21, 1009.22, 1009.23, 1009.25, and 1009.81, adding Sections 1009.26, 1009.27, 1009.29, 1009.30, 1009.31, and 1009.32, and repealing Section 1009.24, to update findings and prohibit smoking in: 1) business establishments and bars regardless of whether owner-operated, 2) common areas of multi-unit housing complexes, 3) tourist lodging facilities, 4) tobacco shops, 5) charity bingo games, 6) unenclosed dining areas of restaurants, 7) service waiting areas, 8) areas outside entrances, exits and operable windows and vents of all buildings except at the curb of the nearest street, sidewalk or alley, 9) farmers markets, and 10) vehicles owned by the City and County of San Francisco; establishing obligations for property owners and managers to prevent smoking in prohibited areas; adding administrative procedures and penalties; deleting criminal penalties; adding provisions for cost recovery and liens; and making conforming changes in the Health Code. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 091444 [Energy Efficiency Steering Committee]**
Sponsor: Mar
 Ordinance amending the San Francisco Administrative Code by adding Article II to Chapter 5, Sections 5.2-1 through 5.2-8, to: create an Energy Efficiency Steering Committee to advise the Board of Supervisors on planning and decision-making regarding energy efficiency projects; provide for the Committee's membership, organization, and duties; and set a sunset date for the Committee. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 091445 [Accept and Expend FY 09 Second Chance Youth Offender Reentry Initiative Grant - \$660,615 and Amend Annual Salary Ordinance, FY 2009 2010]**
Sponsor: Maxwell
 Ordinance authorizing the Juvenile Probation Department ("JPD"), on behalf of the City and County of San Francisco, to retroactively accept and expend a grant in the amount of \$660,615 from the Office of Justice Programs ("OJP") for the United States Department of Justice for funding under the FY 09 Second Chance Youth Offender Reentry Initiative ("Second Chance grant award"); and amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) to reflect the addition of one Class 2910 Social Worker grant-funded position (0.60 FTE) at the San Francisco Public Defender's Office (PDR). RECEIVED AND ASSIGNED to Public Safety Committee.
- 091446 [Food Security Task Force]**
Sponsor: Maxwell
 Ordinance amending the San Francisco Health Code by amending Section 470.1, to modify the membership of the Food Security Task Force and to direct the Task Force to prepare an annual assessment of the state of hunger in San Francisco, and by amending Section 470.2, to extend the term of the Task Force. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

- 091447 [Ordinance Levying Special Taxes within Special Tax District No. 2010-1 San Francisco Sustainable Financing]**
Sponsors: Mayor; Mar and Dufty
 Ordinance to authorize and levy special taxes within City and County of San Francisco Special Tax District 2009-1 (San Francisco Sustainable Financing); authorize the Director of Public Finance to determine the Special Tax Rate and Amount to be levied each fiscal year; to establish the method for the collection of special taxes and other matters necessary or advisable in connection therewith. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091453 [Planning Code Amendment – Green Landscaping Ordinance]**
Sponsors: Mayor; Chu and Dufty
 Ordinance amending various sections of the Planning Code to address screening, greening, street tree, and permeability requirements; creating definitions for "vehicle use area", "ornamental fencing", and "permeable surface"; amending the Public Works Code Section 805 to create requirements for the establishment of new street trees and replacement of dead street trees; and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 091454 [MOU - San Francisco Deputy Sheriffs' Association - Unit 12A]**
Sponsor: Mayor
 Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Sheriffs' Association for Unit 12A, to be effective July 1, 2009, through June 30, 2012. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091455 [MOU - San Francisco Deputy Sheriffs' Association - Unit 12B]**
Sponsor: Mayor
 Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Sheriffs' Association for Unit 12B, to be effective July 1, 2009 through June 30, 2012. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091456 [Accept and Expend FY 2009 Homeland Security Grant Program Grant - \$2,079,703 and Amend Annual Salary Ordinance, FY 2009-2010]**
Sponsor: Mayor
 Ordinance authorizing the Department of Emergency Management to retroactively accept and expend a Fiscal Year 2009-2010 Homeland Security Grant Program grant in the amount of \$2,079,703 from the United States Department of Homeland Security, through the California Emergency Management Agency; amending Ordinance No. 183-09 (Annual Salary Ordinance, FY2009-2010) to reflect the addition of one Class 5277 Planner I grant-funded position (0.50 FTE) at the General Services Agency (GSA- ADM) and one Class 5278 Planner II grant-funded position (0.50 FTE) at the Department of Emergency Management. RECEIVED AND ASSIGNED to Public Safety Committee.

091458 [Earthquake Safety and Emergency Response General Bond Obligation Bond Election - \$652,070,000]

Sponsors: Mayor; Chiu, Avalos, Campos, Dufty and Mirkarimi

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 8, 2010, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$652,070,000 to finance the rehabilitation of Neighborhood Fire Stations, the Auxiliary Water Supply System and the construction of a Public Safety Building and a Forensic Sciences Center and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act ("CEQA") and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the bond; finding that the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by the San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Section 5.30 - 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091460 [Authorizing the Execution of an Option to Purchase Interests in the Properties Located at 1600 and 1670 Owens Street, San Francisco and Acquire Related Design and Construction Plans]

Sponsor: Mayor

Ordinance approving City's execution of option agreement for purchase of (i) real property located at 1600 Owens Street, San Francisco, California for purpose of construction of new laboratory building for use by the City's Office of the Chief Medical Examiner and the Forensic Science Division, (ii) tenancy-in-common interest in the land and existing parking structure located at 1670 Owens Street San Francisco, California, (iii) rights to use existing permitted base building design and construction documents in connection with City's proposed construction of new laboratory building at 1600 Owens Street, and (iv) acquisition of rights and assumption of obligations under certain existing design and development contracts related to such proposed laboratory building construction; exempting acquisition by City of existing permitted base building design and construction documents and related design or construction contracts from Chapter 6 of City's Administrative Code; adopting findings under the California Environmental Quality Act and findings pursuant to the City Planning Code Section 101.1; and ratifying previous actions taken in connection therewith. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 091461 [Payroll Expense Tax; Exclusion for Certain Employers Under the Health Care Security Ordinance]**
Sponsors: Mayor; Dufty
Ordinance amending the San Francisco Business and Tax Regulations Code, Payroll Expense Tax Ordinance, by adding Section 906.3 to defray the cost of compliance with the Health Care Security Ordinance for certain employers by making them eligible for the exclusion of up to \$133,333 per year in taxable payroll from the calculation of the payroll expense tax. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091464 [Early implementation of Two-Year Budget and Five-Year Financial Plan Requirements]**
Sponsors: Mayor; Chiu
Ordinance designating the Port, the Airport, and the Public Utilities Commission for early implementation of the two-year budget requirement under Charter Section 9.100 and the five-year financial plan requirement under Charter Section 9.119. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091465 [Appropriating \$1,743,767 of Library Capital Improvements Fund Balance for the Branch Library Improvement Program in the San Francisco Public Library for FY 2009-2010]**
Sponsor: Mayor
Ordinance appropriating \$1,743,767 of Library Capital Improvements Fund Balance, which consists of interest earnings from General Obligation Bond proceeds sold for the Branch Library Improvement Program and rent income from the Visitacion Valley Public Library, to fund capital projects at the Bayview and Visitacion Valley Library locations as part of the Branch Library Improvement Program in the San Francisco Public Library for Fiscal Year 2009-2010. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091251 [Development Fee Collection Procedure; Administrative Fee]**
Sponsor: Mayor
Ordinance amending the San Francisco Building Code by adding Section 107A.13 to establish a procedure for the Department of Building Inspection (DBI) to collect development impact and in lieu fees, to provide that the fees are payable prior to issuance of the first building permit or other document authorizing construction of the project, with an option for the project sponsor to defer payment to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge on the amount owed that would be deposited into the same fund that receives the development fees, to require that any in-kind public benefits required in lieu of payment of development fees are implemented prior to issuance of the first certificate of occupancy for the project, to require DBI to generate a Project Development Fee Report prior to issuance of the building or site permit for the project listing all fees due with the opportunity for an appeal of technical errors to the Board of Appeals, to establish a Development Fee Collection Unit within DBI and a fee for administering the program; adopting findings, including environmental findings. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

091275 [Development Impact and In-Lieu Fees]

Sponsor: Mayor

Ordinance amending the San Francisco Planning Code by creating Article 4 for development impact fees and development impact requirements that authorize the payment of in-lieu fees; by adding Section 402 to provide that all Planning Code development impact and in-lieu fees will be collected by the Department of Building Inspection prior to issuance of the first building permit or other document authorizing construction of the project, with an option for the project sponsor to defer payment to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge on the amount owed that would be deposited into the same fund that receives the fees; by requiring that any in-kind public improvements required in lieu of payment of development fees are implemented prior to issuance of the first certificate of occupancy for the project; by moving Planning Code Sections 139, a portion of 249.33, 313-313.15, 314-314.8, 315-315.9, 318-318.9, 319-319.7, 326-326.8, 327-327.6, and 331-331.6 and Chapter 38 of the San Francisco Administrative Code (Transit Impact Development Fee) to Article 4 and renumbering and amending the sections; adding introductory sections for standard definitions, payment and collection procedures, conditions of approval, dispute resolution and appeal procedures, waivers, reductions, and refunds, notice, lien procedures, annual Citywide development fee reports and fee adjustments, and development fee evaluations every five years; by providing for an appeal of technical fee calculation issues to the Board of Appeals rather than the Planning Commission; requiring the Controller to issue an annual Citywide Development Fee Report; deleting duplicative code provisions and using consistent definitions, language and organization throughout; adopting findings, including Section 302 and environmental findings; providing that the ordinance's operative date is March 15, 2010; and instructing the publisher to put a note at the original location of the renumbered sections stating that the text of those sections has been moved and providing the new section number. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

Resolutions

091428 [Proclaiming December 18, 2009, International Migrants Day]

Sponsors: Avalos; Campos and Mar

Resolution proclaiming December 18, 2009, International Migrants Day. ADOPTED 12/15/09

091437 [Contract with Owners' Association for Administration/Management of Greater Union Square Business Improvement District]

Sponsor: Chiu

Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the property-based business improvement district known as the "Greater Union Square Business Improvement District," pursuant to Section 36651 of the California Streets and Highways Code. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

091439 [Paratransit Broker Agreement - Not to Exceed \$118,599,710]

Sponsor: Duffy

Resolution approving a Paratransit Broker Agreement with Veolia Transportation, Inc., in an amount not to exceed \$118,599,710, for a five-year term ending June 30, 2015, with an optional five-year extension. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 091440 [Accept and Expend Grant - Second Chance Act Prisoner Reentry Initiative - \$600,000]**
Sponsor: Duffy
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant from the Bureau of Justice Assistance in the amount of \$600,000 to provide direct services for adult state prisoners and parolees; for the period of October 1, 2009, through September 30, 2010. RECEIVED AND ASSIGNED to Public Safety Committee.
- 091442 [Contract to Transfer Airport Police Service, Assets and Liabilities from California Public Employees' Retirement System to San Francisco Employees' Retirement System]**
Sponsor: Elsbern
Resolution approving contract to transfer airport police service and associated assets and liabilities from the California Employees' Retirement System to the San Francisco Employees' Retirement System. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091448 [Resolution Determining Necessity to Incur Bonded Indebtedness - \$150,000,000]**
Sponsors: Mayor; Mar and Dufty
Resolution determining necessity to incur bonded indebtedness in a maximum principal amount of \$150,000,000 within the boundaries of Special Tax District No. 2009-1 (San Francisco Sustainable Financing) and determining other matters in connection therewith. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091449 [Resolution of Formation of Special Tax District No. 2009-1 San Francisco Sustainable Financing]**
Sponsors: Mayor; Mar and Dufty
Resolution of formation to establish Special Tax District No. 2009-1 (San Francisco Sustainable Financing), establish boundaries of said special tax district, to describe the facilities to be financed, to establish an appropriations limit and to provide for other matters related thereto. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 091451 [Resolution Authorizing Sale of Special Tax Bonds in an Amount not to Exceed \$10,000,000]**
Sponsors: Mayor; Mar and Dufty
Resolution authorizing the issuance and sale of special tax bonds in an aggregate principal amount not to exceed \$10,000,000, and approving the form of a Fiscal Agent Agreement, a Purchase Contract and a Security Agreement and authorizing and approving other related actions in connection therewith. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091452 [Approving Administrative Terms and Conditions for San Francisco Sustainable Financing Program]**
Sponsors: Mayor; Mar and Dufty
Resolution approving administrative terms and conditions for the San Francisco Sustainable Financing Program; identifying the San Francisco Department of the Environment or its City agency designee as the Program Administrator for the City; setting reporting requirements; authorizing the execution of an administrative services agreement; and related matters. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 091457 [Earthquake Safety and Emergency Response General Obligation Bonds - \$652,070,000]**
Sponsors: Mayor; Chiu, Avalos, Campos, Dufty and Mirkarimi
 Resolution determining and declaring that the public interest and necessity demand the rehabilitation of Neighborhood Fire Stations, the Auxiliary Water Supply System and the construction of a Public Safety Building and a Forensic Sciences Center and the payment of related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of \$652,070,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act ("CEQA") and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and waiving the time limits set forth in Administrative Code Section 2.34. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091462 [Opposing the Stupak-Ellsworth-Pitts Amendment to restrict reproductive choice]**
Sponsor: Alioto-Pier
 Resolution opposing the Stupak-Ellsworth-Pitts Amendment that limits reproductive choice, urging the United States Senate to pass healthcare reform that preserves access to reproductive health services, urging conferees to remove the amendment, and commending members of the California congressional delegation who opposed the amendment. RECEIVED AND ASSIGNED to Board of Supervisors ADOPTION FAILED 12/15/09.
- 091463 [Calling on Congress to Pass Meaningful Healthcare Reform that Promotes a Holistic Approach to Women's Health, including Access to Reproductive Choice for all and a Robust Public Option]**
Sponsor: Daly
 Resolution calling on Congress to pass meaningful healthcare reform that promotes a holistic approach to women's health with access to reproductive choice for all and a robust public option; opposing the Stupak-Ellsworth-Pitts Amendment and an amendment proposed by Senator Ben Nelson that would limit reproductive choice; supporting a strong public option like that proposed by Senator John D. Rockefeller or Representative Raul Grijalva; urging the United States Senate to pass meaningful healthcare reform that ensures access to health services, including reproductive health; urging the US Senate to continue opposing the inclusion of anti-choice language in health care reform; encouraging conferees to remove the Stupak amendment and include a robust public option; and commending members of the California congressional delegation who supported a robust public option and opposed the restrictions on reproductive choice. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

- 091466 [2010 Board of Supervisors Regular Meeting Schedule]**
 Motion revising the 2010 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 19, February 16, June 1, July 6, October 12, and November 30; and by further canceling all Board and Committee meetings during the summer and winter breaks from August 11 through September 3, 2010 and December 15 through December 31, 2010. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

091429 [Establishing Film Commission, its Membership, Qualifications, and Powers]

Sponsor: Alioto-Pier

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 5.107 to establish a Film Commission, establish its membership and qualifications, establish duties, and provide for the issuance of film permits. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

091430 [Allowing the Board of Supervisors to Designate Certain Appropriations as Mandates to Expend the Money Appropriated]

Sponsor: Avalos

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 9.103 and 9.104 to: allow the Board of Supervisors to mandate the expenditure of identified appropriations for particular programs or activities, in an amount not to exceed the total value of expenditure reductions made by the Board at the same time; require the relevant City departments to report to the Board on their plans for expenditure of the money appropriated; and, allow the Mayor to reject or reduce an appropriation identified as mandatory and reject the designation of the appropriation as mandatory with or without reducing the amount of the appropriation. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

091431 [Setting Minimum 52-Hour Work Week for Firefighters]

Sponsors: Avalos; Daly and Campos

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section A8.452 to: (1) eliminate the 48.7-hour limitation on the work week for uniformed officers and member of the Fire Department, (2) establish a work week of at least 52 hours, on an annualized basis, for uniformed officers and members assigned to fire fighting companies and units, with the minimum 52-hour work week requirement to be effective for any amendment or extension to the current Memorandum of Understanding (MOU) between the City and County of San Francisco (City) and the San Francisco Fire Fighters Union Local 798 (Union) in effect July 1, 2007 through June 30, 2011, and for the successor MOU and each MOU between the City and Union thereafter, and (3) eliminate superseded language regarding holiday schedules and compensation; and by adding Section A8.590-9 to provide that the minimum work week for firefighters assigned to fire fighting companies and units shall be governed by Section A8.452 and not be subject to binding interest arbitration under Charter Section A8.590-5. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

091432 [Zero Tolerance for Firefighters Drinking on Duty]

Sponsor: Daly

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 16.126 to make it unlawful for any uniformed member of the Fire Department to consume an alcoholic beverage while on duty, and making violation grounds for dismissal and a misdemeanor. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

091433 [Reducing Employer Retirement Benefit Costs]

Sponsor: Elsbernd

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections A8.409-5, A8.506, A8.506-2, A8.506-3, A8.510, A8.590-4 and A8.590-5, and by adding Sections A8.432-1, A8.600 to A8.600-14, A8.601 to A8.601-16 and A8.602 to A8.602-16, to: prohibit the City and County from paying any required employee contributions to the San Francisco Employees' Retirement System or the California Public Employees' Retirement System; require the difference between the City and County's contribution to SFERS set by the Retirement Board each year and the employer normal cost rate to be deposited into either the Retiree Health Care Trust Fund, Retirement System Trust Fund, or both, the allocation to be determined jointly by the Controller, Treasurer and Retirement System Executive Director; establish an employee contribution rate of nine percent for all employees hired after June 8, 2010 who become members of the California Public Employees' Retirement System; require all contracts with CalPERS for persons hired after June 8, 2010 to include a three-year formula for the calculation of final compensation to the fullest extent possible; create a new retirement plan for miscellaneous officers and employees hired after June 8, 2010 that modifies the average final compensation calculation from a one-year formula to a three-year formula; and create new retirement plans for safety members hired after June 8, 2010 that increase required employee retirement contributions to nine percent and modify the average final compensation calculation from a one-year formula to a three-year formula. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

091434 [Setting Transit Operator Wages and Benefits Solely Through Collective Bargaining]

Sponsor: Elsbernd

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 8A.104, A8.409-1, A8.409-4 and A8.428 and deleting Section A8.404 of the Charter to eliminate the formula setting a floor for transit operator wages and providing that wages and benefits for transit operators shall be set through collective bargaining and that any impasse in collective bargaining shall be resolved through interest arbitration. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

PROPOSED ORDINANCE

091387 [Settlement of Lawsuit - San Franciscans for Livable Neighborhoods - \$141,692.50]

Ordinance authorizing settlement of the lawsuit filed by San Franciscans for Livable Neighborhoods against the City and County of San Francisco for \$141,692.50 for attorneys' fees; the lawsuit was filed on November 30, 2004, in San Francisco Superior Court, Case No. 504-780; entitled San Franciscans for Livable Neighborhoods v. City and County of San Francisco, et al.; other material terms of said settlement are that payment is to be made in two equal installments, one in calendar year 2010, one in calendar year 2011. RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Requests Granted

From: Supervisor Chiu

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation removing unused, low-revenue, and unnecessary fees on Small Businesses assessed by the Department of Public Works, Department of Public Health, Police Department, and Entertainment Commission.

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: Supervisor Mirkarimi request the City Attorney to determine potential violations sponsored by Pacific Gas and Electric (PG&E) against San Francisco's Community Choice Aggregation (Clean Power SF) program as enabled by the California Public Utilities Commission Decision No. 05-12-041 (December 15, 2005), which states:

"We are also aware of the particular responsibility of the utilities that is imposed by Section 366.2©(9), which requires the utility to cooperate fully with any community choice aggregators that investigate, pursue, or implement community choice aggregation programs.' The failure of a utility to cooperate in good faith with a CCA could cause the CCA or utility bundled customers to incur unnecessary costs and create unnecessary customer confusion. In our role to regulate the utilities that are the subject of this subsection, if we find that a utility has failed to comply with Section 366.2©(9) or relevant Commission order, we retain the authority to impose substantial penalties on the utility and cooperate in any law suit that seeks material damages."

Supervisor Mirkarimi requests that the City Attorney brief the San Francisco Public Utilities Commission and Board of Supervisors.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore & Post

Southwest corner of Divisadero & Sutter

9th Avenue & Judah (near bus stops)

7th Avenue & Irving (near bus stops)

Northwest corner of Hayes & Fillmore
Southeast corner of Fillmore & Haight

San Francisco Chronicle

Northwest corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore
Irving & 9th Avenue
Irving & 7th Avenue
Southwest corner of Haight & Clayton
Southeast corner of Haight & Masonic

Examiner

Northwest corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore

SF Daily

Northwest corner of Hayes & Gough

City Star

Northwest corner of Hayes & Gough
Southeast corner of Fillmore & Haight

SF Weekly

Southeast corner of Masonic & Haight
Southeast corner of Haight & Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans

Northeast corner Buena Vista West & Haight
Northwest corner Fillmore & Haight

Mailboxes

On Geary between Fillmore & Steiner, south side of street
Northwest corner Octavia & Haight
Southeast corner of Masonic & Fulton

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes and sidewalk issues at the following location:
Intersection Webster & Grove, North side of street.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

754 Fell
399 Haight, on the Webster side
901 Haight
533 Haight
442 Haight
400 Fillmore
300 Buchanan
485 Scott
350 Laguna
355 Laguna
1301 Haight
1567 Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations;

Wood Pole

Northeast corner Fillmore & Germania

Metal Pole

Northwest corner Post & Pierce
Southeast Scott & Eddy
Southeast corner Clayton & Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property at the following locations:

Utility Boxes

Northeast corner Linden & Buchanan
Northeast corner 7th Avenue & Irving

Bush Shelter

Southeast corner Geary & O'Farrell
Southwest corner Buchanan & Haight
Southeast corner Buena Vista East & Haight
Fillmore & Haight (all 4 bus stops, graffiti & grime)

Emergency Boxes

Northeast corner of Golden Gate & Scott

In Memoriams

Edith Jimenez – Supervisor Dufty

Joe Lynn – Entire Board

Kamau Seitu – Supervisor Mirkarimi

Shelly Yoakum – Supervisor Mirkarimi

Holly Horton – Supervisor Maxwell

Javad Jahi – Supervisor Mar

Jung Haw Wong Yee – Supervisor Chiu

Anne Marie Staas – Supervisor Alioto-Pier

Antoinette Alioto Scarpulla – Supervisor Alioto-Pier

Dolores Marie Kelly – Supervisor Dufty

